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*Forty-Fifth
Annual Report*

OF THE

Department of Health



FOR THE YEAR ENDING DECEMBER 31, 1929

CASTLES ICE CREAM

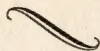
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REVISED ORDINANCES OF THE DEPARTMENT OF HEALTH OF THE CITY OF NEWARK, BEING THE SANITARY CODE OF SAID CITY.

Be it ordained by the Board of Health of the City of Newark, as follows:

CHAPTER LX.

Definition of Terms.

Sec. 965. The terms "Board," "this Board," "said Board" and "Board of Health" shall be held to mean the Board of Health of the City of Newark.

Sec. 966. The word "regulations" shall be held to include "special regulations" (which latter will be from time to time issued and will contain more detailed provisions than can be herein conveniently set forth); the word "permit" shall be construed to mean the permission in writing of this Board, issued according to its rules and regulations and the Sanitary Code; the word "light" or "lighted" shall be held to refer to natural external light; and all words and phrases herein defined shall also include their usual and natural meanings, as well as those herein especially given.

Sec. 967. The phrase "contagious disease" shall be held to include any disease of an infectious, contagious or pestilential nature with which any person may be sick, affected or attacked (more especially, however, referring to cholera, yellow fever, smallpox, diphtheria, ship or typhus, typhoid and scarlet fevers), and also including any new disease of an infectious, contagious or pestilential nature, and also any other disease publicly declared by this Board to be dangerous to the public health.

Sec. 968. The word "street," when used in the Sanitary Code, shall be held to include avenues, sidewalks, gutters, places and public alleys; and the word "public place" shall be held to include parks, piers, docks and wharves, and water and open spaces, thereto adjacent, and also public yards, grounds and areas, and all open spaces between buildings and streets; the word "rubbish" shall be held to include all the loose and decayed material and dirtlike substance that attends use and decay, or which accumulates from building, storing, or cleaning; the word "garbage" shall be held to include every accumulation of animal or vegetable matter, or both, liquid or otherwise, that attends the preparation, decay, dealing in, or storage of meats, fish, fowls, birds, fruits or vegetables; and the word "dirt" shall be held to mean natural soil, earth and stone.

Sec. 969. A "tenement house" shall be taken to mean and include every house, building or every portion thereof which is rented, leased, let or hired out to be occupied or is occupied as the house, home or residence of more than two families living independently of one another, and doing their cooking upon the premises, or by more than two families upon a floor, so living and cooking, but having a common right to the halls, stairways, yards, water-closets or privies or some of them. A "cellar" shall be taken to mean and include every basement or lower story of any building or house of which one-half or more of the height from the floor to the ceiling is below the level of the street adjoining.

Sec. 970. The word "meat" whenever herein used, includes every part of any land animal, and "eggs" (whether mixed or not with any other substance); the word "fish" includes every part of any animal that lives in water, or the flesh of which is not meat; and the word "vegetable" includes every article of human consumption as food, which (not being meat or fish or milk) is held or offered, or intended for sale or consumption; and all fish and meat and vegetables found in any place shall be deemed to be therein, and held for such sale or consumption as such food, unless the contrary be distinctly proved.

Sec. 971. The word "cattle" shall be held to include all animals except birds, fowl and fish, of which any part of the body is used as food; the word "butcher" shall be held to include whoever is engaged in the business of keeping, driving or slaughtering any cattle or in selling any meat; the words "private market" shall include

every store, cellar, stand and place (not being a part of a public market) at which the business is the buying, selling or keeping for sale of meat, milk, fish or vegetables for human food.

CHAPTER LXI.

Enforcement of Ordinances.

Sec. 972. Any member of the Board of Health, or the officers or agents thereof, may make the inspections and examinations required by any law of this State, or by any code, ordinance, regulation or order of this Board, upon exhibiting his badge, accompanied by a certificate of authority under the seal of the Board; and all persons are hereby forbidden to interfere with or obstruct such inspection, examination or execution under a penalty of twenty-five dollars for each and every offense.

CHAPTER LXII.

Sanitary Conditions of Buildings and Drainage.

Sec. 973. No person shall hereafter erect, or cause to be erected, or converted to a new purpose by alteration, any building or structure which, or any part of which, shall be inadequate or defective in respect to strength, ventilation, light, drainage or any other usual, proper or necessary provision or precaution; nor shall the builder, lessee, tenant or occupant of any such or of any other building or structure (within the right or ability of either to remedy or prevent the same), cause or allow any matter or thing to be, or to be done in or about any such building or structure dangerous or prejudicial to life or health.

Sec. 974. No owner, agent or lessee of any building or any part thereof shall lease or let, or hire out the same, or any part thereof, or allow the same to be used or occupied as a place in which or for any one to dwell or lodge, unless such building or such parts thereof so to be occupied as a dwelling or lodging, shall be kept sufficiently lighted and ventilated, and provided with proper water-closet accommodations, and are at all times in that condition of cleanliness and wholesomeness for which this code provides, or in which such code requires such premises to be kept.

Any person, persons, firm or corporation who shall violate the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of not less than five dollars, nor more than twenty-five dollars.

Sec. 975. The owner, lessor or agent of any building used in any way for occupation by human beings, whether for business or dwelling purposes, shall provide and maintain in good serviceable condition sufficient water-closet and urinal accommodations, proportioned to the number of occupants, and in the cases hereinafter mentioned, not less than the number herein specified, viz.: In all tenement houses where separate water-closets are not maintained for each family, and in all business places separate water-closets shall be provided for each sex, arranged so as to secure absolute privacy; in dwellings or places used as a permanent place of abode for persons at least one water-closet shall be provided and maintained for each seven persons; for lodging houses, hotels or other places used as a temporary place of abode, at least one water-closet for each ten persons for whom accommodation is provided, and in addition, urinals shall be provided; in stores of every kind, including restaurants, excepting, however, saloons and places for the sale of intoxicating liquors, at least one water-closet for each twenty-five employees; in saloons and places for the sale of intoxicating liquors, at least one water-closet for each employee regularly engaged in serving liquor, and in addition urinals shall be provided; in no case shall there be less than one water-closet and one urinal.

Sec. 976. In every building in which liquor is sold, and persons lodge or work in a part thereof, the part occupied for the sale of liquor shall be provided with urinal and water-closet accommodations, as required in the provisions of this section, and such urinal and water-closet accommodations

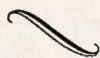
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shall be so situated that the persons occupying that portion of the premises which is not for the sale of liquor shall be able to use such water-closet or urinal without passing through or going into such portion of the building wherein liquor is sold.

Any person, firm or corporation which shall violate any of the provisions of this section shall, upon conviction thereof, forfeit and pay a penalty of not less than ten dollars, nor more than twenty-five dollars for the first offense, and of twenty-five dollars for each subsequent offense.

Sec. 977. It shall be the duty of the owner or contractor engaged in the construction or erection of any new building in the City of Newark to provide within such building a sufficient number of water-closets for the use of the persons employed in the work of erecting such buildings. Such water-closet or water-closets shall be placed in every such building at the commencement of the work of erecting the same, and shall be continued therein until the completion of the same. Every such water-closet shall be connected with the sewer in the street upon which such building shall be erected.

Sec. 978. Water-closets, when placed in any building under the provisions of Section 977, shall be kept and maintained at all times in a clean and sanitary condition.

Sec. 979. Any person, persons, firm or corporation, violating the provisions of Sections 977 and 978, shall, upon conviction thereof, forfeit and pay a penalty of not less than ten dollars nor more than twenty-five dollars for the first offense, and twenty-five dollars for each subsequent offense.

Sec. 980. No person, having the right and power to prevent the same, shall knowingly cause or permit any person to sleep or remain in any cellar, or in any place dangerous or prejudicial to life or health, by reason of a want of ventilation or drainage, or by reason of the presence of any poisonous, noxious or offensive substance or otherwise.

Sec. 981. No owner, agent, lessee or keeper of any tenement house, shall cause or allow so great a number of persons to dwell, be or sleep in any such house, or any portion thereof, as thereby to cause any danger or detriment to life or health.

Sec. 982. Every dwelling and factory building and every part thereof, and the yard, court, passage, and area or alley connected with the same, shall be kept clean and free from any accumulation of dirt, filth, garbage, or other matter. The owner, agent, lessee or occupant of any dwelling or factory building or part thereof shall thoroughly cleanse all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, cesspools, and drains thereof, as often as shall be required by said Department or its officers, and shall when notified so to do, well and sufficiently whitewash or paint the walls and ceilings thereof.

Any person, persons, firm or corporation convicted of a violation of this section shall forfeit and pay a penalty of not more than ten dollars for the first offense and of not more than twenty-five dollars for each subsequent offense.

Sec. 983. Wherever it shall be decided by this Board that any building or part thereof is unfit for human habitation, by reason of its being so infected with disease, or by reason of its being in a condition dangerous to health or life, or to be likely to cause sickness among the occupants, and notice of such decision shall have been affixed conspicuously upon the building or any part thereof so decided to be unfit for human habitation, and personally served upon the owner, agent or lessee, if the same can be found in the State, requiring all persons therein to vacate such building, or part thereof, for the reasons to be stated therein as aforesaid, such building, or part thereof, shall, within ten days thereafter, be vacated; or in case of special emergency, within such shorter time as in said notice may be specified.

Any owner, agent, lessee or occupant of any building or buildings who shall violate, or fail to comply with any of the provisions of Sections 973, 975, 980, 981, or 983 of this Code, shall, on conviction thereof, forfeit and pay a penalty of twenty-five dollars for the first offense and for

each subsequent offense the sum of fifty dollars.

Sec. 984. That no owner, agent or lessor of any building shall allow any chimney, smoke pipe, smoke stack, flue or any part thereof, or any connection therewith, to be or to remain in any way defective or out of repair, so as to allow coal or illuminating gas, or any noxious fumes or odor to escape therefrom into said building.

Any person who shall violate any of the provisions of this section shall, upon conviction thereof, forfeit and pay a penalty of ten dollars for the first offense and twenty-five dollars for each subsequent offense.

Sec. 985. No premises shall be rented, let, leased, or occupied as a tenement house, dwelling house or apartment house unless said premises shall have a plentiful supply of pure water, suitable for domestic purposes, furnished at one or more places in such house or yard so that the same may be adequate and reasonably convenient for the use of the occupants of said house.

Any owner, agent, lessee or occupant of any such building or buildings who shall violate or fail to comply with the provisions of this section, shall, upon conviction thereof, for the first offense pay a penalty of not less than five dollars, nor more than twenty-five dollars, and for each subsequent conviction of such violation a sum not to exceed twenty-five dollars.

Sec. 986. The owner, lessor or agent of any building or part thereof used in any degree for occupation by human beings whether for business or dwelling purposes, shall keep the roofs, gutters and every part of the same and the side walls of such buildings so that the same shall not leak, and shall cause all rain-water to be drained and conveyed from such roofs, gutters or side walls in such manner as to prevent the dripping of water upon the ground or upon any portion of the structure, or in the yard adjacent thereto.

Any person, firm or corporation who shall violate any of the provisions of this section shall, upon conviction thereof, forfeit and pay a penalty of not less than five dollars nor more than twenty-five dollars for the first offense and twenty-five dollars for each subsequent offense.

Sec. 987. Whenever the Board of Health or the Health Officer thereof shall so direct, all houses and other buildings abutting on streets in which a sewer is laid or shall be laid, shall be connected with said sewer by the owner, agent or lessee of said premises.

Sec. 988. Whenever the Board of Health or the Health Officer thereof shall so direct, the owner, agent or lessee of any premises abutting on streets in which there is no sewer shall construct a cesspool on said premises, to be built as hereinafter provided, and connect the house and other buildings on said premises with said cesspool.

Sec. 989. No connection shall be made between any sewer or cesspool, and any ground, building, erection or place of business, without a permit for that purpose first obtained from the Board of Health, and no alteration of any connection between said sewer or cesspool and any ground, building, erection or place of business, shall be made without a like permit.

Sec. 990. Before any drain is laid between any sewer or cesspool and any ground, building, erection or place of business, the bottom of the trench after the same is graded shall be carefully rammed in such a manner as to prevent unequal settling; after the drain is laid, as the trench is refilled, the earth must be so rammed as to be as nearly as possible of its original compactness; tunneling in digging the trench is prohibited.

Sec. 991. Where the ground is made or filled in, the house sewer, by which is meant the portion of the drain extending from the sewer or cesspool to the foundation wall, must be of extra heavy cast iron pipe of such diameter as the Board of Health may approve. Such pipes must be laid with the joints properly caulked with lead.

Sec. 992. Where the soil consists of a natural bed of loam, sand or rock, the house sewer may be of hard salt-glazed and cylindrical earthenware pipe, laid on a smooth bottom, free from all projections of rock and with the soil well rammed to prevent any settling of the pipe. Each section



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NEW HAVEN, PROVIDENCE and BALTIMORE

must be wetted before applying the cement, and the space between each hub and the small end of the next section must be completely and uniformly filled with the best hydraulic cement. Care must be taken to prevent any cement being forced into the drain to become an obstruction. No tempered-up cement shall be used. A straight edge must be used inside the pipe, and the different sections must be laid in line perfect on the bottom and sides.

Sec. 993. All connections with drain pipes or sewers must be made with Y branches; and where connection is made with a brick sewer, a terra cotta junction block must be used. A running or one-half S trap must be placed on the drain at an accessible point near the house or building wall; said trap must be furnished with a hand-hole for convenience of cleaning, the cover of which must be properly fitted and made gas tight with proper cement.

Sec. 994. Every owner, agent, lessee, tenant or occupant of any ground, house, building, erection or place of business connected with any sewer or cesspool by any drain, soil pipe, passage or other connection, shall discharge therein all slops, filthy water and liquid waste produced or collected on the premises so connected with said sewer or cesspool; and every owner, agent, lessee, tenant or occupant of any such premises shall keep said drain, soil pipe, or other connection at all times adequate for the passage of all slops, filthy water and liquid waste that enters or should enter the same.

Sec. 995. Before any connection of house drainage and plumbing with outside sewers, cesspools or other receptacles shall be covered, the same shall be inspected by an inspector of the Board of Health, and by him approved, and any such connection covered without such inspection must be uncovered for examination at the request of the Health Officer, at the expense of the person so covering.

Any person or persons or corporation failing to comply with the requirements of the provisions of Sections 987 to 995 of this Code, or with the orders of the Board of Health or the Health Officer, made in pursuance thereof, or who shall offend against or violate the provisions of said sections, or any of them, shall, on conviction thereof, forfeit and pay a penalty of twenty-five dollars.

Sec. 996. Whenever this Board shall have satisfactory evidence that any well, the water of which is used for domestic purposes, has become polluted and rendered unsafe for potable use, notice to discontinue the use of said polluted water shall be sent to the owner, agent, lessee or party in charge of said well, and at the discretion of this Board the owner, agent, lessee or party in charge of said well may be ordered in writing to close or fill up said well. If the said order is not complied with, within the time therein specified, this section shall be deemed violated and this Board may proceed to cause the said well to be closed or filled up, the owner, agent, lessee or person in charge paying all expenses therefor. Any person or persons or corporation, who shall fail to comply with, or violate any of the provisions of Sections 996 and 1110 to 1115 of this Code, shall, on conviction thereof, forfeit and pay a penalty of fifty dollars for the first offense, and for each subsequent offense the sum of one hundred dollars.

Sec. 997. Whenever any premises shall have thereon any cistern or well which contains foul or stagnant water, or is abandoned or in a dangerous condition the same shall be, upon notification by the Board of Health to the owner thereof, forthwith filled with ashes or clean earth.

Any person, firm or corporation violating the provisions of this section shall be liable to a fine of not less than five dollars, nor more than twenty-five dollars for the first offense, and twenty-five dollars for each subsequent offense.

Sec. 998. No tenement house or room therein being without sufficient ventilation shall be so overcrowded that there shall be afforded less than four hundred cubic feet of air to each adult, and two hundred and fifty cubic feet of air to each child under twelve years of age, occupying such building or room, and upon written order of the

Board of Health the number of occupants of such building or room so overcrowded shall be reduced in accordance with this ordinance.

Sec. 999. Whenever there shall be more than eight families living in any tenement house in which the owner thereof does not reside, there shall be a janitor, housekeeper or some other responsible person who shall reside in said house and have charge thereof.

Sec. 1000. Any person, persons, or corporation failing or refusing to comply with any provision of Sections 998 or 999 within ten days after receiving a written notice or order from the Board of Health or the Health Officer to comply therewith, shall, upon conviction thereof, forfeit and pay a penalty of twenty-five dollars for each offense.

Sec. 1001. Every owner, agent, lessee, tenant or occupant of any stall, stable, or apartment in which any horse or any other cattle shall be kept, or any place in which any manure or any solid or liquid discharge or excrement may collect or accumulate, shall at all times keep or cause to be kept such stalls, stables or apartments, and the drainage, yard and appurtenances thereof, in a cleanly, healthful and wholesome condition, and no offensive smell shall be allowed to escape therefrom. In all cases where this Board or the Health Officer shall by written notice so require all manure or excreta shall be removed from all stables and premises where it may accumulate as often as once in each week. Any person or persons or corporation offending against or violating any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of twenty dollars.

Sec. 1002. That every stable or apartment in which any horse or any other cattle shall be kept shall be provided with an underground and properly covered manure vault, or water-tight bin of sufficient capacity to care for all manure that may accumulate in such stable or apartment. Said vault or manure bin shall not be nearer than twenty feet to the doors and windows of any building occupied by human beings, whether for dwelling or business purposes, nor shall said vault or manure bin be nearer than ten feet to the line of any adjoining lot, street, alley or public place, without a permit from this Board, said stable or apartment to be properly ventilated.

Any person or persons or corporation offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of ten dollars for the first offense, and for each subsequent offense the sum of twenty-five dollars.

Sec. 1003. Whenever this Board or the Health Officer shall by written notice so require, every stable or building in which any horses or cattle are kept or stabled, shall be so constructed and drained that no fluid excrement or refuse liquids or washings from vehicles shall flow upon or into the ground. It may be by written notice required that all of the surface of the ground beneath such stables and buildings, and of the yard adjoining, shall be covered with a concrete or other water-tight covering; the material and manner of construction of said covering to be subject to the approval of said Board. Any person or persons or corporation offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of twenty dollars.

Sec. 1004. Whenever on any premises within this city anything in violation of any of the preceding sections of this Code exists or is maintained, or whenever the condition of any premises is such as to call for the interference of this Board, notice shall be served on the owner, agent, lessee, tenant or occupant or other proper person, by order of the Health Officer, which notice shall enable the person served therewith to know wherein any section of this Code is violated or what is to be remedied, and shall give not less than one day or more than ten days for compliance with the provisions of said section or with the requirements of the Board. Such notice may be served on the owner, agent, lessee, tenant or occupant or other proper person, personally, or, when there is an occupied dwelling on the premises, by leaving with an adult occupant of such dwelling.

Sec. 1058. No privy vault, cesspool or manure pit shall hereafter be constructed within the City of Newark without a permit for that purpose be-

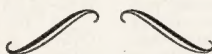
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MILLARD CARNRICK, *Secretary*
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ing first obtained from the Board of Health.

Sec. 1059. No privy vault or cesspool shall hereafter be constructed or maintained on any lot or premises having a sewer connection or abutting on a street in which is or hereafter may be laid a sewer.

Sec. 1060. Whenever any premises shall be connected with a sewer by order of the Board or voluntarily, or when a privy vault or cesspool shall for any reason be abandoned, such privy vault or cesspool shall be entirely emptied and filled with fresh earth unless otherwise ordered by the Board of Health.

Sec. 1061. No rain-water leader, waste pipe or soil pipe shall discharge or run into any privy vault, nor shall any slops or filthy water be deposited therein unless said privy vault shall be connected with a sewer.

Sec. 1062. No person shall throw into or deposit in any vault, sink, privy or cesspool, any offal, ashes, meat, fish, garbage or other substance, except that of which any such place is the appropriate receptacle.

Sec. 1063. No owner, agent, tenant, lessee or occupant or person having charge of any dwelling, tenement house, building or premises to which any privy vault or cesspool shall appertain or be attached, shall draw off, or deposit, or allow to be drawn off or deposited, upon any premises, public or private, or upon any street or public place, the contents of any such privy vault or cesspool; nor shall any owner, agent, tenant, lessee or occupant or person in charge permit the contents of any privy vault or cesspool to rise within two feet of any part of the top thereof, or to become offensive.

Sec. 1064. No privy vault or cesspool shall be built or maintained within ten feet of the line of any street, within two feet of the party line or fence of the adjacent lot or lots, or within twenty feet of the door or window of any house, unless otherwise ordered or permitted by the Board of Health; and no privy vault or cesspool shall be completed, nor shall any cover be made, put upon or over the same or any use made of such vault for the deposit of defecated matter, until the said privy vault or cesspool has been inspected by an inspector of the Board of Health and been found to correspond to the terms of the permit and the provisions of this Code.

Any owner, agent, tenant, lessee or occupant, or person in charge of any premises in this city, who fails to comply with or violates or offends against any of the provisions of Sections 1058 to 1064 of this Code, shall, on conviction thereof, forfeit and pay a penalty of ten dollars for the first offense, and for each subsequent offense, the sum of twenty-five dollars.

Sec. 1065. No person or persons shall remove the contents of any privy vault or cesspool except upon permit of the Board of Health, and for each and every permit so granted the sum of ten cents shall be paid by the person obtaining the same.

Sec. 1066. No part of the contents of any privy vault or cesspool within the city limits, except substances not soluble in water, shall be removed or transported by some odorless apparatus; and no part of the contents of any privy vault or cesspool shall be removed by the pitting process, except in cases where it is impossible to remove the same by pumping. When emptied by the pitting process, the contents shall be thoroughly disinfected before being removed, and in removing said contents they shall be deposited in dunnigans or barrels which shall be water-tight, the lids of which shall be securely fastened to said dunnigans or barrels by clamps and made tight by means of a rubber gasket between said lids and the chimes. Any scavenger who shall commence to clean any privy vault or cesspool, shall without interruption and delay remove every portion of the contents thereof.

Sec. 1067. Such tanks as may be used, and the trucks for conveying the dunnigans or barrels, shall be suitably constructed, and the name of the licensee with the number of the city license distinctly painted thereon; and the entire apparatus and appliances shall at all times present a clean appearance, be free from obnoxious odors, and al-

ways in good and efficient working order. The workmen shall be well instructed in their duties and orderly while in the performance of their work.

Any person or persons, or corporation, violating any of the provisions of Sections 1065, 1066 and 1067 of this Code shall on conviction thereof forfeit and pay a penalty of twenty-five dollars for the first offense, and for each subsequent offense the sum of fifty dollars.

Sec. 1068. Nuisances are hereby defined and declared to include and embrace: (1) The placing or depositing, or allowing to remain in or upon any street or public place, or in or upon any open lot or public or private property, any dead animal or any part of the same, or any offal or garbage, or any carrion or putrid meat, or manure or compost (stable manure as a fertilizer, or kept in manure pits built as hereinafter directed, excepted), or any foul or offensive or obnoxious substances whatsoever. (2) The throwing upon, or allowing to flow from any premises upon any street or public place, open lot or public or private property, or the allowing to collect upon the surface of any premises, any waste water, dirty water, slops, stable drainage, liquid filth, overflow from cesspool or privy vault, or any offensive liquid matter whatsoever. (3) Any full, foul, or leaky privy vault, cesspool, or other receptacle for filth; also any privy vault, cesspool or catch-basin which is beneath any dwelling or other building, or is attached to the foundation wall of any dwelling or other building. (4) Allowing or permitting any night soil, garbage, or any offensive or decomposing solid or fluid matter or substance to leak or ooze, or escape from any cart or wagon, or vessel in which the same may be conveyed or carried. (5) The carrying or conveying through any street any substance which has been removed from any privy vault or cesspool, unless the same shall be inclosed in air-tight receptacles.

(6) The use of any room for sleeping in any dwelling house, apartment house, hotel or other building which is overcrowded and where the cubic capacity for each adult is less than 400 cubic feet and for each child under twelve years of age, 250 cubic feet.

(7) The papering of any walls or ceilings of any room in any dwelling house, tenement, apartment building, or hotel, or any building used for a dwelling before all the old paper shall have been previously scraped or thoroughly removed from the walls or other parts.

(8) Allowing any building to be occupied as a tenement house, apartment house, dwelling house, factory building, without a plentiful supply of pure water, suitable for domestic or personal requirements, by any person who is responsible for such provision, by reason of ownership, possession, or agreement, or in which the water supply has been turned off for any reason, except to repair faulty plumbing, for any period longer than twelve hours.

(9) Allowing any dog to run at large or come in contact with children or any persons other than the immediate household of the owner, if in the opinion of the Board of Health or Health Officer, the said dog is vicious and hazardous to the health of the city, or if it molests pedestrians or others without provocation. Such dogs, if taken out, must be muzzled or on the leash.

Any and every nuisance as above defined, is hereby prohibited and forbidden in this city, and any person or persons, or corporation, making, causing, maintaining or permitting any of said nuisances, shall on conviction thereof, forfeit and pay a penalty of twenty-five dollars.

Sec. 1069. Whatever is dangerous to human life or health, and any building, erection, or part or cellar thereof, not provided with adequate means of ingress and egress, or not sufficiently supported, ventilated, drained, cleaned or lighted, and whatever renders food or water unwholesome, is hereby declared to be a nuisance.

Any person or persons or corporation who shall aid in erecting or contribute to, or who shall erect, or contribute to, or who shall continue to retain or maintain any of them, shall, on conviction thereof, forfeit and pay a penalty of twenty-five dollars.

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NEWARK, N. J.



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Sec. 1070. Every plumbing or drainage fixture, appliance or pipe, and every part thereof, and every appliance or pipe or part thereof for water supply, upon any premises, whether inside or outside of any building, shall be maintained by the owner, agent, tenants, lessee or occupant of such premises, free from any leak, obstruction or other defect, and shall be kept by them and each of them at all times in good repair and in good serviceable condition.

Any imperfect trap, sink or water-closet within any house, or any other drainage appliance or fixture within any house from which there shall arise any foul or obnoxious gas or odor, is hereby declared to be a nuisance, and any person, firm or corporation who shall refuse or neglect to make perfect or repair any defect in any drainage appliance or any part of the soil pipe or waste pipe, or any fixture, sink, basin or water-closet connected with such waste pipe or soil pipe, or who shall violate any of the provisions of this section, shall, upon conviction thereof, forfeit and pay a penalty of not less than five dollars, nor more than twenty-five dollars for the first offense, and twenty-five dollars for each subsequent offense.

Sec. 1071. All sunken lots or marsh lands, or lots below grade, where stagnant water gathers or is collected, are hereby declared nuisances, and any owner or owners or agent of any such lot or lots or lands shall, on notice from this Board, fill the same or cause them to be filled with fresh earth, ashes or cinders; any owner or owners or agent failing to comply with such notice shall, on conviction thereof, forfeit and pay a penalty of twenty-five dollars.

Sec. 1072. No animal or vegetable substance or garbage or street sweepings, muck, or silt, or dirt gathered in cleaning yards, buildings, sewers, docks, or slips, or waste of mills or factories, or any materials which are offensive to health or tend to decay, to become putrid or to render the atmosphere impure or unwholesome, shall be deposited upon or used to fill up, or raise the surface or level of any lot, grounds, docks, wharf, pier, street or alley in this city or any ground filled for the purpose of building thereon, unless pursuant to a special permit from this Board; any person or persons violating any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of twenty-five dollars.

Sec. 1073. No act, place or thing shall be deemed a nuisance within the provisions of this Code, which shall be authorized by a permit from the Board of Health, said permit to be issued in the discretion, and to be revocable at the pleasure of the Board, but immediately upon such revocation the provisions of this Code shall apply as though said permit had never been granted.

Sec. 1074. All owners, lessees, tenants, or occupants of any and all lots and lands in this city shall keep the sidewalks and streets in front of such lots and lands free from filth, slops, dirty water, rubbish or any other thing dangerous to health, life or limb.

Sec. 1075. The proprietor, agent, lessee, tenant or occupant of every tenement house, restaurant, saloon or any other premises where any refuse matter, offal or shells from oysters or other shell fish accumulate, shall daily cause all such shells, offal or refuse matter to be removed to some proper place, and shall keep such premises at all times free from offensive smells and accumulations.

Sec. 1076. The owner, agent, lessee, tenant or occupant of every dwelling, market, restaurant or other premises where refuse matter shall accumulate in the City of Newark, shall provide and keep on the premises suitable barrels or receptacles for receiving and holding garbage.

Sec. 1077. No rags, bones, offal, butchers' refuse, tannery scrapings, manure or other refuse matter liable to decay, shall be brought into, gathered, collected, accumulated, stored, exposed, carried or transported in any manner through any street or public place, or into any building or cellar in the City of Newark except by permit of this Board of Health, which permit shall be revocable by said Board at any and all times. No permit will be necessary for the handling of

their own ashes and garbage by private individuals, institutions or buildings.

Any person, persons, firm or corporation regularly engaged in the business of removing and transporting bones, butchers' refuse, tannery scrapings, manure or other offensive animal matter, shall annually secure from the Board of Health a license to carry on such business, the fee for which shall be two dollars (\$2.00) per wagon, and which will expire on the last day of December of each year.

All carts and vehicles used for carrying such animal wastes as mentioned in this section shall bear on each side a license plate secured from the local Board of Health, which shall have on it the words "Newark Board of Health," the number of the permit, and the year for which license is issued.

Sec. 1078. No cart or other vehicle for carrying any offal, swill, garbage, ashes or rubbish, or the contents of any privy vault, cesspool or other receptacle for filth or having upon it or in anything on such cart or vehicle, any manure or other nauseous or offensive substances, shall, without necessity therefor, stand or remain, nor shall a needless number gather before or near any building, place of business or other premises where any person may be; nor shall the person using said cart or vehicle occupy an unreasonable length of time in loading or unloading or in passing along any street or through any inhabited place or ground; nor shall any such cart or vehicle, or the driver thereof, or anything thereto appertaining, be (or by any person having a right to control the same, allowed to be) in a condition needlessly filthy or offensive; and when not in use, all such carts, vehicles and all implements used in connection therewith, shall be stored and kept in some place where no needless offense shall be given to any of the inhabitants of said city.

Sec. 1079. All carts and vehicles in the last section mentioned, and boxes, tubs and receptacles thereon, in which any substance in said section referred to, may be or be carried, shall be strong and tight, and the sides shall be so high above the load or contents that no part of such contents or load shall fall, leak or spill therefrom (all vehicles and containers used for carrying bones, offal, butchers' refuse, tannery scrapings, manure or refuse matter liable to decay, must be metal-lined); and each of such carts, tubs or boxes and receptacles shall be adequately and tightly covered, as the orders or regulations of this Board may provide or direct.

Any person or persons or corporations who shall fail to comply with or violate any of the provisions of Sections 1074 to 1079 of this Code, shall on conviction thereof forfeit and pay a penalty of ten dollars for the first offense, and for each subsequent offense the sum of twenty-five dollars.

Sec. 1080. Any owner, agent, tenant, lessee or occupant of any lot, ground, building, house or stable in this city, on notice from this Board or the Health Officer, shall forthwith remove from said lot, ground, building, house or stable, any rubbish, garbage, offal or any offensive matter or thing (or any weeds or growing vegetation liable to become the breeding grounds for mosquitoes or the hiding place for nuisances, or any poisonous plants); and any person on notice from this Board or the Health Officer, shall abate any nuisance existing on any premises of which he may be the lessee, owner, agent, tenant or occupant.

Any person offending against, or violating the provisions of this section, or any of them, shall, on conviction thereof, forfeit and pay a penalty of ten dollars for the first offense, and for each subsequent offense the sum of twenty-five dollars.

If any person shall refuse or neglect to remove any foul or obnoxious or hurtful matter or thing, or if any person shall refuse or neglect to abate any nuisance, then this Board may proceed under the provisions of "An act to revise consolidate and amend certain acts, concerning boards of health in this state," approved March 31, 1887, and the supplements thereto, to remove said nuisance, source of foulness or cause of sickness, and to recover, by action of debt against

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such persons, the expense incurred by said Board by such removal.

Sec. 1081. In every slaughter house hereafter constructed or maintained within the City of Newark, the floors shall be paved with asphalt or some other impervious material, properly sloped to a well trapped and permanently grated inlet having a direct communication with a sewer; the walls thereof shall be covered to a height of seven feet, with some smooth, impervious material; the yards, apartments and pens connected therewith, shall be paved with brick or stone laid in cement or concrete or some other impervious material, and properly sloped to a well trapped and permanently grated inlet having a direct communication with a sewer. Every slaughter house shall be supplied with an adequate water supply, and such an arrangement of hose or pipes as will enable the walls, floors and yards to be effectually washed; and every slaughter house and the apartments and pens connected therewith, shall be properly ventilated according to the direction and to the satisfaction of the Board of Health. Any person or persons or corporation who shall be the owner of or operate any slaughter house, failing to comply with the directions of, or offending against or violating any of the provisions of this section, shall, on conviction thereof, forfeit and pay a penalty of fifty dollars for the first offense and for the second and each subsequent offense, the sum of one hundred dollars.

Sec. 1082. The owners, agents, lessees or occupants of all slaughter houses located within the city, are required to provide movable receptacles with tightly fitting covers, for the purpose of receiving and conveying away blood, filth, offal and other offensive matters, and these matters must be deposited in the receptacles immediately after slaughtering, and removed with all fat, hides, skin, tripe and bones, daily between the hours of 6 P. M. and 8 A. M. No blood or offal shall be permitted to flow into the sewer. Any person or persons or corporation offending against or violating any of the provisions of this section, shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1083. The owners, agents, tenants, lessees or occupants of all slaughter houses in use shall thoroughly and effectually wash the walls, floors and yards thereof at least once in every twenty-four hours; and during the months of May, June, July, August and September shall distribute twice in each week a sufficient quantity of chloride of lime or some other suitable disinfectant about their premises, and shall also remove the contents of any manure pit on the premises once in each week during said months; if the above requirements should not be complied with, the Health Officer is hereby directed to carry out the provisions of this section as to disinfecting, and the removal of the contents of said manure pits at the expense of the said owner, agent, tenant, lessee or occupant. Any person or persons or corporation failing to comply with or offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of twenty-five dollars.

Sec. 1084. No blood pit, dung pit or privy well shall remain or be constructed within any slaughter house. Any person or persons or corporation offending against or violating any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of twenty-five dollars. If it shall, at any time, appear to the Board of Health that exception to any of the provisions of Sections 1081-1084 of this Code should be made, a permit in writing to that effect may be granted, subject to revocation at the pleasure of the Board.

Sec. 1085. No animal affected with an infectious or contagious disease shall be brought into the City of Newark, nor shall any animal so affected be kept within said city, except by written permission of the Board of Health. Any person or persons or corporation offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1086. No person or persons or corporation shall have or keep, upon any premises in the city of Newark, any cattle, sheep, goats or swine,

without a permit from the Department of Health, which permit shall be renewable annually, registered in the office of the Department, and revocable at the pleasure of the Department; and for each and every permit so granted the sum of ten cents for each animal shall be paid; provided, however, that the fee in no case shall exceed the sum of fifty dollars (\$50) for any one premises. Any person or persons or corporation offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of ten dollars (\$10) for each and every head of cattle, sheep, goats or swine had or kept upon said premises.

Sec. 1087. No person shall keep, or allow to be kept, in any dwelling house, or in any part thereof, any horse, cattle, swine, goats or fowls. Any person or persons offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of twenty dollars.

Sec. 1088. No rabbits, guinea pigs, pigeons, chickens, ducks, geese or other fowl shall be kept within the city of Newark except under the following conditions:

A. A permit shall be required therefor from the Board of Health, which permit shall be revocable at the pleasure of said Board, and must be renewed annually. A fee of one dollar shall be paid by the person receiving such permit.

B. That under no condition shall any of the above-mentioned animals or fowls be kept or maintained in tenement houses or tenement house yards.

C. Such animals shall under no circumstances be allowed to run at large, but shall be kept confined in a suitable house or coop, with an inclosed runway.

D. Such house or coop shall be floored with cement or other water-tight flooring; the runway shall not be floored.

E. Such house must be kept thoroughly clean at all times, and shall be cleaned at least once in every week, and more often if the Health Officer shall so require.

F. No part of such house or runway shall be less than twenty feet from the doors or windows of any dwelling occupied by human beings, whether for dwelling or business purposes.

Any person, firm or corporation who shall be convicted of a violation of this section shall forfeit and pay a penalty of not less than five dollars, nor more than ten dollars for each and every offense.

Sec. 1089. The slaughtering, killing or dressing of cattle, swine or sheep shall not be allowed within the limits of the city of Newark, except in regularly authorized slaughter houses, without a permit for that purpose from this Board; and no slaughter house or other place where cattle, sheep or swine are slaughtered, killed or dressed, shall be allowed within this city unless a permit for that purpose shall be granted by this Board. Any person or persons or corporation offending against or violating any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1090. No cattle, sheep, or swine shall be killed for human food while in a diseased, overheated, feverish or exhausted condition, and no calf which shall be less than four weeks old, and no pig that shall be less than five weeks old, and no lamb that shall be less than eight weeks old, shall be killed for human food or shall be kept or offered for sale, or sold, to be killed for human food within such ages respectively. Any person or persons or corporation offending against or violating any of the provisions of this section shall forfeit and pay a penalty of fifty dollars for the first offense, and for the second and every subsequent offense the sum of one hundred dollars.

Sec. 1091. It shall be the duty of every inspector or other officer of the Board of Health, when any cattle, sheep, or swine shall be found in a diseased, overheated, feverish, or exhausted condition, or when any calves, pigs or lambs shall be found within the ages respectively named in the preceding section of this Code, and said animals or any of them shall be intended to be used for human food, to immediately attach to any such diseased, overheated, feverish, exhausted or

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under-aged animal, or to the pen or stall in which any such animal or animals may be confined, a label or tag on which shall be written or printed the words "Quarantined by the Board of Health, Newark, N. J.," and such inspector or other officer shall immediately report such quarantine at the office of the Board, that proper action may be taken relative thereto.

Any person other than an inspector or other officer of this Board, who shall destroy, deface, conceal, interfere with or remove any label, or tag, so attached to any pen, stall or animal, shall, on conviction thereof, forfeit and pay a penalty of fifty dollars; any person or persons or corporation removing any animal, so as aforesaid quarantined, or shall kill any such animal, or use the same for human food, or hold or expose for sale, or sell any such animal without the permission of the Board, shall, on conviction thereof, forfeit and pay a penalty of fifty dollars; and person or persons interfering with, hindering or preventing any inspector or other officer of this Board, in performing the duties imposed by this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1092. No person or persons or corporation shall kill, scald, pick or dress any chicken, turkey, duck, goose or other feathered animal within the limits of any market, public or private, within the city of Newark. Any person or persons or corporation violating any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of ten dollars for each and every offense.

Sec. 1100. No impure ice or ice cut within or outside of the city of Newark from a polluted pond, lake or stream, and no ice manufactured from impure water, shall be used or sold within said city. No such ice shall be brought into the city for the purpose of use or sale.

Sec. 1101. No person or persons, partnership or corporation shall sell or deliver or deal in any ice for domestic or public use within the limits of the city of Newark without a permit first had and obtained from the Board of Health of the city of Newark.

A separate permit shall be required for each office, store, station, depot or other place used for the distribution or sale of ice.

Sec. 1102. Before any such permit shall be granted an application shall be made to the Board of Health by the party seeking such permit, which application shall be signed by such party, or, if a corporation, by some authorized agent, and shall give usual post office address of said party, the name under which and the place or places where the ice business is to be conducted, the character of said business, whether wholesale or retail, the name of the party or parties from which the ice is secured, and the places where such ice is cut or manufactured. Before such permit is granted the applicant shall pay to said Board a fee of two dollars. Every such permit, unless sooner forfeited or revoked, shall expire on the thirty-first day of December next succeeding the date when it was granted.

Sec. 1103. Upon request of the Board of Health, any person, persons, partnership or corporation to whom any such permit shall be granted, shall at any time during the period thereof, furnish any further information in writing which said Board may demand, of the nature required in the last preceding section. If such information is not furnished to said Board within five days after the request therefor, said permit shall be void, and therefore no person or corporation shall be protected thereby in any manner whatsoever. Nothing hereing shall prohibit the party whose permit is forfeited from making an application for a new permit.

Sec. 1104. Any permit granted hereunder may be revoked by the Board of Health for the violation of any provision hereof or for other good cause shown, and after an opportunity has been granted to the holder of such permit to be heard by said Board. During the pendency of such proceeding said Board may in its discretion order the permit to be suspended, and all transactions thereunder to be discontinued under the penalties herein provided for sales of ice without a permit.

Sec. 1105. No wagon, cart or vehicle of any kind shall be used or run at any time by any one for the sale or delivery of any ice in this city unless there shall be displayed on each side thereof a tag or plate furnished by the Board of Health, showing that said vehicle is owned, controlled or used by a party to whom a permit has been granted in accordance with the provisions of this ordinance.

For each tag or plate so furnished said Board may collect a fee of twenty-five cents to cover the cost thereof.

No one except a party to whom a permit has been issued shall use any such tag or plate on any vehicle whatsoever, and no person shall make or use an imitation or copy of such tag or plate. No such tag shall be used after the forfeiture, revocation or expiration of the permit the existence of which is indicated and is intended to show.

Sec. 1106. Any person, persons, partnership or corporation who shall violate or authorize a violation of any provision of this ordinance, shall, on conviction thereof, forfeit and pay a penalty of fifty dollars for each offense.

Sec. 1107. No slaughtered or killed sheep or lamb shall be brought or taken from any slaughter house within or without the city of Newark to any public or private market in the city for food until the same shall be fully dressed, with the entrails, head and feet removed.

Sec. 1108. No meat, fish, game or slaughtered animal or poultry which is to be used as food shall be carted or carried through or along any street unless it be covered so as to protect it from dust and dirt; and no meat, fish, game, animal or poultry shall be hung or exposed for sale outside of any shop or store in this city or in any open window or doorway thereof.

Sec. 1109. Any person or corporation violating any provision of Sections 1107 or 1108 shall, upon conviction thereof, forfeit and pay a penalty of not less than ten dollars for the first offense, and not more than twenty-five dollars for each subsequent offense, the amount of such penalty to be left to the discretion of the court before whom complaint may be made.

Sec. 1110. No person shall manufacture, have, offer for sale, or sell any article of food or drink which is adulterated within the meaning of an act of the Legislature of the State of New Jersey entitled "An act to prevent the adulteration of food and drugs," approved March 25, 1881, and the supplement thereto approved March 23, 1883, or of any act or acts of said Legislature hereafter passed amendatory, supplementary or additional thereto.

Sec. 1111. No milk, or butter, nor any other food or drink which has been exposed to the emanation or infection of any communicable disease, shall be brought into the city of Newark, or held or offered for sale in said city.

Sec. 1112. Every person being the owner, lessee or occupant of any room, stall or place where any meat, fish, birds, fowl, fruit, nuts or vegetables, designed or held for human food, shall be stored or kept, or shall be held or offered for sale, shall put and keep said room, stall or place and its appurtenances, in a cleanly and wholesome condition; and every person having charge, or interested, or engaged, whether as principal or agent, in the care of, or in respect to, the custody or sale of any meat, fish, birds, fowl, fruit, nuts or vegetables, designed for human food, shall put and preserve the same in a cleanly and wholesome condition, and shall not allow the same, or any part thereof, to be poisoned, infected or rendered unsafe or unwholesome for human food.

Sec. 1113. No cased, blown, plaited, raised, stuffed, putrid, impure or unhealthy or unwholesome meat, fish, birds or fowls, shall be held, bought, sold or offered for sale for human food, or held, or kept in any market, public or private, or in any public place in said city. The practice known as the rebating of fish, or the return to the wholesale dealer by the retail dealer of unsold fish, in any public or private market or in any public place, is forbidden.

Sec. 1114. No decayed or unwholesome fruit, nuts or vegetables shall be brought into said city,

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or held, bought or sold, or offered for sale for human food, or held, or kept in any market, public or private, or in any public place in said city.

Sec. 1115. Upon any cattle, meat, fish, birds, fowl, fruit, nuts, or vegetables being found by any inspector or other officer of the Board of Health in a condition which renders the same unsafe or unwholesome for human food, it shall be the duty of said inspector or officer to affix to said article or articles a label on which shall be written or printed the words "Condemned by direction of the Board of Health, Newark, N. J.," and when any thing included within the provisions of this section shall be found in numbers, quantity or bulk, it shall only be necessary for said inspector or officer to affix one such label to a conspicuous part of the box, tin, basket, compartment or other place or thing containing the same, and he shall forthwith report every such condemnation at the office of the Board. No person or persons shall destroy, deface, conceal, interfere with or remove any label affixed by any inspector or officer of this Board as aforesaid. It shall be the duty of the owner or person in charge of any matter or substances that have been condemned to immediately remove the same from any market, street or place, and convey the same to such place as may be designated by the inspector or officer, and such articles shall not be sold or offered for sale or in any way disposed of, and in case the owner or person in charge shall fail or neglect, or refuse to remove said articles within three hours after having been notified to do so, the same may be removed by the inspector or other officer of this Board, the owner or person in charge paying all expenses thereof.

Any person or persons or corporation that shall fail to comply with, or violate any of the provisions of Sections 1110, 1111, 1112, 1113, 1114 or 1115 of this ordinance, shall, on conviction thereof, forfeit and pay a penalty of fifty dollars for the first offense, and for each subsequent offense the sum of one hundred dollars.

Sec. 1116. Every practicing physician in this city shall report in writing to the Board of Health the name of every patient he or she shall have affected with anthrax, chicken-pox, cholera, diphtheria or membranous croup, epidemic meningitis, epilepsy, erysipelas, glanders, infantile paralysis or poliomyelitis, leprosy, malaria, measles, mumps, ophthalmia, neonatorum, plague, bronchial pneumonia, lobar pneumonia, rabies, scarlet fever, smallpox (including varioloid), tetanus, trachoma, trichinosis, tuberculosis (any form), typhoid fever, para-typhoid fever, typhus fever, whooping cough, yellow fever, puerperal fever or puerperal septicaemia, German measles, dysentery (amoebic or bacillary), or any other contagious disease that may be hereafter publicly declared by this Board to be dangerous to the public health, together with the precise locality where such patient may be found, immediately after such physician shall ascertain or suspect the nature of such disease. Any person or persons failing to comply with, violating or offending against the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1117. Whenever it shall be deemed necessary by this Board to establish the true character of any disease which they may believe to be communicable, a medical examination of the person or persons affected by such disease may be ordered, the medical attendant selecting such medical member of the Board of Health as he may desire, and such examination shall be permitted by all attendants and persons. Any person or persons offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of twenty dollars.

Sec. 1118. No principal, teacher or superintendent of any school, and no parent or guardian of any child attending any school, shall permit any child sick with any disease mentioned in Section 1116, or with any other communicable disease, or any child residing in any house in which such disease shall exist, to attend any school until such time as the attending physician certifies that it can be done without danger of communicating the disease to others. Any person or persons offending against any of the provisions of this sec-

tion shall, on conviction thereof, forfeit and pay a penalty of twenty dollars.

Sec. 1119. In case any contagious or communicable disease occurs in this city, the person affected thereby shall, at the discretion of the Health Officer, be isolated, or said person may be removed to such a locality as the Health Officer, in conjunction with the Sanitary Committee, may order and direct; and all buildings, clothing, property and premises and vehicles which may become infected by the presence of persons affected by contagious or communicable disease, shall be disinfected or fumigated at the expense of the tenant, occupant or owner thereof, and said disinfection or fumigation shall be made and performed in such manner and with such materials and within such stated time and under such supervisions as the Health Officer may direct.

After such disinfection the premises shall be required to be forthwith aired and mechanically cleaned. The woodwork, floors and furniture of all rooms and undersurfaces of vehicles shall be scrubbed with a solution made up of one-quarter pound of washing soda to each gallon of hot water and soap.

Should the premises after disinfection or fumigation be reported as being in such condition as to need renovation, such shall be required. The walls of all rooms must be cleaned, calcimined, repapered or repainted, and the woodwork and floors must be cleaned and repainted.

Any person or persons offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1120. The periods of quarantine during which persons suffering from contagious or communicable diseases stated below shall be completely isolated from contact with other members of the family and the general public shall be as follows:

For diphtheria the quarantine period shall be until the patient is well, provided that two cultures taken from both the nose and the throat, twenty-four hours apart, fail to show the presence of the diphtheria bacillus. When the period of quarantine is less than seven days two negative cultures shall be required, the interval between the taking of each culture must not be less than forty-eight (48) hours.

When proper isolation of diphtheria patients is being observed, school teachers and school children, or other persons living within the same dwelling, and from whom two cultures taken from the nose and the throat (the interval between the taking of the cultures being forty-eight hours) are negative for the diphtheria bacillus, may return to their occupation, or school.

Carriers of the diphtheria bacillus shall be quarantined until such time as two cultures taken not less than forty-eight hours apart from both the nose and the throat are returned as negative for the diphtheria bacillus.

The quarantine period for scarlet fever shall be until the patient is well, provided that this period is not less than thirty days from the onset of the disease and the case has been declared by the attending physician, or Health Officer, to be free from infection. The opinion as to the freedom from infection shall depend upon the absence of discharge from the nose and ears.

The quarantine period for measles shall be until the person affected is well, provided that all rash, fever and catarrhal symptoms have disappeared, and that a period of not less than fourteen (14) days have elapsed since the first appearance of symptoms.

For epidemic cerebro-spinal meningitis the quarantine period shall be at least two weeks from the onset of the disease. All recognized methods for arriving at an accurate bacterial diagnosis of such cases shall be employed.

For infantile paralysis (Acute Anterior Poliomyelitis) the quarantine period shall not be less than three weeks from the onset of the disease, and until the temperature of the patient has become normal.

The quarantine period for chicken-pox (Varicella) shall be until all pocks have dried up, provided the period is not less than fourteen days. If not vaccinated, or if the attending physician

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fails to report the vaccinal status, or if the patient is an adult, the Health Officer shall visit the case, or cause the same to be visited by a physician employed by the Board, so as to determine that the disease is not smallpox.

The quarantine period for German measles shall not be less than one week from the date of onset.

The quarantine period of mumps shall be until all swelling of the affected glands has disappeared, provided that the period is not less than two weeks from the date of onset.

The quarantine period for erysipelas shall be until the patient is well, provided all local inflammatory swelling and discharges shall have ceased and provided that the period is not less than two weeks from the date of onset.

Home occupations in which articles are put up or manufactured for public sale shall not be allowed while premises are under quarantine for smallpox, scarlet fever, or diphtheria.

Should a case of smallpox, scarlet fever or diphtheria be found in a home in the rear of or communicating with a store and proper means of isolating the case be absent, the family shall be given the choice of closing the store or of permitting the removal of the case to a hospital.

All inspectors sent to cases of contagious or communicable diseases shall properly inspect all arrangements for isolation, and give written instructions regarding isolation and quarantine and protection from flies, of which a carbon copy shall be returned to the Health Officer, and transmit to the attendants the literature provided by the Board for the disease in question.

All school children and school teachers are forbidden to attend school during the quarantine period of smallpox, scarlet fever, diphtheria, measles, epidemic meningitis, infantile paralysis, chicken-pox and German measles.

When violations of quarantine or isolation methods are observed which the family cannot or will not correct, the Health Officer shall request the assistance of the attending physician. Should these measures fail and the patient's or parents' consent to removal to a hospital be refused, the case shall be forcibly removed to an isolation hospital, in accordance with the city Ordinances, on the ground that the patient is a menace to the health of others.

Upon completion of the quarantine period for any contagious or communicable disease, and after the case has been declared by the attending physician to be free from infection, the patient shall be given a bath, including a thorough cleansing of the hair, and dressed in clean clothes throughout.

Night-gowns, sheets, and other infected articles shall be soaked in a disinfectant solution for one hour and then boiled in soap suds for one hour.

Destruction or disinfection of books or toys used by the patient shall be required.

It shall, under the direction of the Board of Health, be the duty of the keeper of any hotel, tavern, boarding or public house, or the owner or occupant of any private residence or tenement house where any person may be sick with any contagious or communicable disease to close any such house or place and keep it closed, as against all lodgers, customers and persons, desiring to visit the same until such time as in the opinion of the Board of Health or the Health Officer all danger of communicating the said disease from any such house or place, or the inmates thereof, shall have passed; and no person or persons brought in direct contact with those so affected shall go about the city, or in any common or public or private place, so as to endanger the health of other persons; provided that the provisions of this section shall not apply to either the physician or clergyman in attendance on such sick person or persons. Any person or persons failing to comply with, violating or offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1121. That when any person or persons shall be sick or infected with smallpox, scarlet fever, epidemic meningitis, poliomyelitis, measles or diphtheria, or any other contagious disease to be hereafter specified by the Board of Health, in any

dwelling house, store, shop or rooms in the city of Newark, it shall be the duty of the Health Officer of said Board to put up and maintain in a conspicuous place on all entrances to said dwelling house, store, shop or other building, a card or sign, on which the name of the disease shall be written or printed in plain letters, of such size as the Board of Health shall direct, which card or sign shall be so maintained until the same shall be ordered to be removed by said Board. Any person or persons, or corporation who shall remove, deface, injure, obscure, hide or cover up said card or sign, or cause the same to be removed, defaced, injured, obscured, hid or covered up, shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1122. No person shall let or hire any house, or room in a house in which poliomyelitis, epidemic meningitis, cholera, smallpox, diphtheria, yellow, typhus, typhoid or scarlet fever has existed without having caused the house or premises connected therewith to be disinfected to the satisfaction of the Board of Health or the Health Officer. Any person or persons failing to comply with, violating or offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1123. No person shall bring, or cause to be brought, into the city of Newark any person infected with any contagious disease, except the same be a resident of said city, and then only on a permit granted by the Board of Health; no person shall bring, or cause to be brought, into said city any article liable to propagate a communicable disease. Any person or persons or corporation offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1124. When death has been caused by poliomyelitis, epidemic meningitis, cholera, smallpox, diphtheria, membranous croup, typhus, scarlet or yellow fever, or any other contagious disease that may be hereafter specified by this Board, no dead body shall remain unburied for a longer time than twenty-four hours without a permit from this Board. When death has been caused by the above specified diseases, the body shall be immediately thereafter disinfected and prepared for burial in such manner as may be directed by this Board, and the funeral of such person shall be strictly private (that is, the members of the immediate household only shall be present) and a hearse only shall be employed for the removal of the body. Any person or persons failing to comply with, violating or offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1125. No person shall expectorate or deposit any sputum, saliva, mucus, or any form of sputum, saliva or mucus upon the floor or upon any part of the interior, steps or platform of any street railway car or other public conveyance, or upon the floors, staircases or any part of the interior of any public building or upon the steps giving access thereto from the exterior, or upon the sidewalks or crosswalks of any street, alley, lane or public place in the city of Newark.

Sec. 1126. Any person who shall violate the provisions of Section 1125 shall upon conviction, pay a penalty of not less than two dollars (\$2) nor more than ten dollars (\$10), in the discretion of the magistrate imposing the same.

Sec. 1127. Officials in charge or control of street railway cars or other public conveyances, or of any public building, shall post, and keep posted, in a conspicuous place, one or more printed notices of the provisions of Sections 1125 and 1126 prohibiting expectoration, and the conductor or conductors of any such cars or other public conveyances, and the janitor or persons in charge of any such buildings, shall call the attention of all violators of these sections to such notice and shall report any violations thereof. A description of the persons offending shall immediately be given to the Board of Health of the said city, and any such person failing to post the notices required by this section, and to make the report herein provided for, for failure so to do, shall forfeit and pay a fine of five dollars (\$5).

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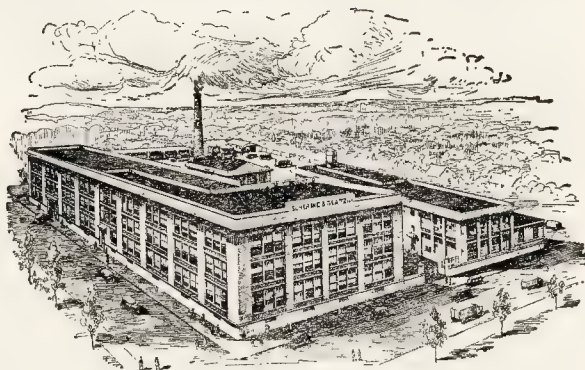
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Sec. 1128. Tuberculosis is hereby declared to be an infectious and communicable disease, dangerous to the public health.

Sec. 1129. Every practicing physician in the city of Newark shall report in writing to the Board of Health the name, age, sex, color, nationality, occupation and address of every patient affected with tuberculosis he or she shall have attended, or who has come under the observation of such physician. Such report shall be made within one week after such physician shall ascertain that any such patient is affected with said disease.

Sec. 1130. It shall be the duty of the superintendent, physician or person in charge of any public or private hospital or other institution for the care of patients suffering from disease, or any person in charge of any dispensary in the city of Newark who shall know of any person to be affected with tuberculosis, to report in writing to the Board of Health the name, age, sex, color, nationality, occupation and address of every person so affected with tuberculosis, within one week after he or she shall have ascertained the nature of such disease.

Sec. 1131. It shall be the duty of every person who shall be affected with tuberculosis, and also of the superintendent, physician or other person in charge of any public or private hospital, institution or dispensary within the city of Newark, to observe and enforce all the sanitary rules and regulations of the Board of Health for preventing the spread of tuberculosis.

Sec. 1132. The Board of Health or the Health Officer shall have power to remove to some suitable place or institution such persons being affected with tuberculosis as are not properly treated or cared for, or who neglect or refuse to observe the rules and regulations of the Board of Health for preventing the spread of tuberculosis.

Disinfection shall be done when required in cases of tuberculosis by the Board of Health or its agents or by other persons in such manner and under such regulations as may hereafter be prescribed by the Board of Health.

Any person or persons neglecting to comply with or violating any provisions of Sections 1128, 1129, 1130, 1131 and 1132 shall, upon conviction thereof, forfeit and pay a penalty of fifty dollars (\$50).

Sec. 1133. All persons sick with the disease of smallpox shall be removed to the County Isolation Hospital, where such removal can be accomplished without any undue risk to the person diseased.

Sec. 1134. Whenever the Health Officer is informed, or has reason to believe, that any person in the city of Newark is sick with the disease of smallpox, he shall forthwith cause such person to be examined by two reputable and expert physicians, who shall report to him in writing whether such person is sick with the smallpox, and if so sick, whether such person can be removed without undue risk; if such physicians report that the said person is sick with smallpox and can be removed without any undue risk, the Health Officer shall forthwith, if the Board of Health be not in session, remove, or cause to be removed, such sick infected person to the said Isolation Hospital; if the Board of Health be in session, he shall refer said report to the Board for action, and the Board shall immediately act thereon, and direct the removal of said infected sick person to said hospital; in case said physicians report such person to be sick with smallpox, but that the removal cannot be accomplished without undue risk, or, shall report that they are unable to determine whether such sick person is then infected with smallpox, the Health Officer shall cause such sick person to be properly isolated in the building where he or she may then be, until all danger of infection from such person is removed.

The quarantine period for smallpox shall be until all scabs have disappeared, provided the period is not less than three weeks from the onset of the disease.

All contacts or persons who may have been exposed to infection with smallpox shall be quarantined for twenty days, during which period they shall be under the observation of the Board of Health.

If successful vaccination or revaccination can be shown to have been accomplished within the quarantine period the same shall be shortened to ten days.

Any person suffering from smallpox or who may have been exposed to smallpox who fails to observe the quarantine period as above defined shall forfeit and pay a penalty of fifty dollars.

Sec. 1135. And be it ordained, that if any such person, sick with the smallpox, shall refuse to be removed to said Isolation Hospital from the building where he or she may be, upon the direction of the Health Officer of this Board, as aforesaid, or if any person shall forcibly resist, or attempt to resist, such removal, the Health Officer shall apply to a magistrate of the city of Newark for a warrant to remove such infected sick person in accordance with law and the provisions of Sections 1133, 1134 and 1135. Any and all persons who shall forcibly resist or attempt to resist the removal of any such infected sick person by the Health Officer, or under his direction, or under the direction of the Board, shall forfeit and pay a penalty of fifty dollars.

Sec. 1136. Every person having authority to solemnize marriages shall transmit to the City Clerk of this city a certificate of every marriage solemnized before him within five days next thereafter, and said certificate shall be made out on blank forms furnished by him for that purpose, and shall include all facts required by said forms. Any person or persons failing to comply with or violating any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of twenty dollars.

Sec. 1137. The physician or midwife present at the birth of every child born in this city, and in case there is no physician or midwife present, the parent or witness present at said birth shall report in writing to the City Clerk of this city all particulars concerning said birth, called for on the blank forms furnished by him for that purpose, and said report shall be made within five days next after the date of said birth. Any person or persons failing to comply with, violating or offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of twenty dollars.

Sec. 1138. No undertaker or other person shall bury in, or bring into, or remove from this city, the dead body of any person, without first having received from the City Clerk of this city a permit so to do; said permit shall be granted only upon presenting to him the certificate of death, which shall be in accordance with the requirements of the next following section, or when the body is brought into the city from without, upon recommendation of the Board of Health or the County Physician of Essex County. Any person or persons failing to comply with, violating or offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

Sec. 1139. When any person shall die within this city, the physician who may have attended during the last illness shall furnish the undertaker or any member of the family a certificate of death, which certificate shall be made out on, and shall comprise all the facts stated in the blank forms furnished for that purpose by the City Clerk. Any person or persons failing to comply with, violating or offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of twenty dollars.

Sec. 1140. No person shall disinter or remove from one burial place to another the body of any person without a permit so to do from this Board, and all graves shall have at least four feet of earth between the top of the coffin and the surface of the ground. Any person or persons or corporation offending against any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of fifty dollars.

AN ORDINANCE TO PREVENT THE SPREAD OF WHOOPING COUGH.

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monly known as whooping cough shall permit any such infant to appear in the street or in any public place within the city of Newark, unless such infant shall wear and expose upon the arm a band of yellow material bearing upon it the words "Newark Health Department. Whooping Cough." The band shall be in a form to be prescribed and supplied by the Board of Health, and shall be worn for a period beginning with the earliest recognition of the disease and continue until danger of infection is over, but in no event less than six weeks.

2. No parent or guardian of any infant under the age of ten years suffering from whooping cough shall permit any such infant to board any street car or other public conveyance or to visit any house, other than the house in which such infant resides, or any store, school, Sunday school or building of public assembly.

3. Any parent or guardian violating any of the provisions of this ordinance shall be subject to a fine of ten dollars (\$10) for each offense.

4. This ordinance adopted dating from September 1st, 1915.

AN ORDINANCE TO PROHIBIT THE USE OF ROLLER TOWELS OR OTHER TOWELS USED IN COMMON BY MORE THAN ONE PERSON.

Be it ordained by the Board of Health of the City of Newark as follows:

Section 1. In order to prevent the spread of communicable diseases the use of the common towel which may be used for more than one service is prohibited in any hotel, restaurant, saloon, club house, public lavatory, public office, shop, store or wash room therein, railway or trolley station, or other public place in the City of Newark.

There shall be provided instead, a sufficient quantity of individual towels of a material approved by the Board of Health so that each person shall have a separate clean towel for his own use.

Sec. 2. Separate towels after one use shall be immediately discarded and placed in a waste receptacle, and not used again until the said towels have been properly cleaned, boiled and sterilized.

Sec. 3. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, forfeit and pay a penalty of not less than ten (\$10.00) dollars for the first offense and twenty-five (\$25.00) dollars for each subsequent offense.

Adopted August 1, 1916.

AN ORDINANCE CONCERNING BOARDING HOUSES FOR INFANTS AND BOARDING HOMES FOR CHILDREN, AND THE BUSINESS OF PLACING INFANTS, AND MATERNITY BOARDING HOUSES OF LYING-IN HOSPITALS; PROVIDING FOR LICENSES BY THE BOARD OF HEALTH, PROVIDING FOR THE REVOCATION THEREOF, AND PROVIDING FOR PENALTIES.

Be it ordained by the Board of Health of the City of Newark as follows:

Section 1. That it shall be unlawful for any person, firm, corporation or association to conduct or maintain a maternity hospital, a boarding house for infants, or a boarding home for children, or to engage in, or assist in conducting, a business of placing infants as herein defined, without having a written license therefor from the Board of Health; provided that nothing in this ordinance shall apply to any institution maintained and operated by the State of New Jersey nor by any municipality thereof, or to any incorporated charitable society for the placing of infants and children.

Sec. 2. The following terms used in this ordinance shall have the following meanings:

"Boarding house for infants" shall mean a house or other place conducted or maintained by any one who advertises himself or holds himself out as conducting a boarding place for infants under three years of age, or who receives illegitimate children under three years of age, or who has in his custody or control one or more infants under

three years of age unattended by parents or guardians, for the purpose of providing such children with food or lodging, excepting children related to him by blood or marriage, or who have been legally adopted by him.

"Boarding home for children" shall mean any children's home, orphanage or other institution, association, organization, or individual engaged in receiving, caring for and finding homes for orphans, dependent or neglected children.

"Maternity hospital" shall mean any house or hospital wherein the principal business carried on shall consist in the care of women prior to, during and after childbirth.

The business of placing infants shall consist in finding or assisting to find homes for any infant under the age of three years with persons other than relatives; in procuring or assisting in procuring the adoption of any such infant; in disposing or assisting to dispose of any such infant in any other manner.

Sec. 3. No license above provided for shall be granted for a term exceeding one year. Every such license shall state the name of the licensee, the particular premises in or at which the business shall be carried on, and the number of inmates that may be treated, maintained, boarded or cared for at any one time; and said license shall be posted in a conspicuous place in the house or other place at which the business is conducted. No greater number of inmates shall be kept at one time on the premises than is authorized in the license, and no inmates or infants shall be kept or disposed of within a building or place not designated in the license. The record of such license when issued shall be kept by the Board of Health. Said license shall be subject to revocation for violation of any of the provisions of this ordinance, or whenever in the judgment of the Board of Health such boarding home is no longer needed. The Board of Health shall annually, or oftener if found desirable, visit and inspect or designate persons to visit and inspect the premises and investigate the manner of conducting the business licensed. Said board and such persons shall have the right to call for and examine the records required by this ordinance to be kept, and to inquire into all matters concerning such licensed premises and the women and children therein, and it shall be the duty of the licensee to give all information to such persons and afford them every reasonable facility for examining the records, inspecting the premises and seeing the inmates thereof.

Sec. 4. Every person, firm, corporation or association conducting a maternity hospital, a boarding house for infants, or engaged in the placing of infants, as defined in this ordinance, shall keep a record in a form to be prescribed by the Board of Health, wherein shall be entered the name, age, sex, color and religion of every child born on his premises, cared for or treated by him, or brought to him for placing, or finding a home for, or giving out for adoption, or otherwise disposing of, together with the name and address of each of the parents of said child; the name of every woman and of every child who dies while in his care together with the date of such death; also the name and residence of the person with whom the child is placed or by whom it is adopted; this entry to be made within twenty-four hours after such child is given out, taken away, or disposed of in any manner. A true copy of such record shall be sent to the Board of Health at such times as the Board of Health shall require.

Sec. 5. Any person who shall violate any of the provisions of this ordinance, upon conviction thereof, shall be punished by a fine of fifty dollars (\$50).

Adopted July 6, 1915.

AN ORDINANCE TO REGULATE THE REMOVAL AND TRANSPORTATION IN AND THROUGH THE CITY OF NEWARK, OF ANIMALS DYING FROM ACCIDENT OR DISEASE, OR KILLED FOR ANY OTHER PURPOSE THAN CONSUMPTION AS FOOD.

Be it ordained by the Board of Health of the City of Newark as follows:

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Section 1. It shall be the duty of every owner of any animal which shall die from accident or disease or be killed for any purpose other than consumption for food within the limits of the City of Newark, to give notice of such death at the office of the Board of Health of the City of Newark, or office of the Chief of Police of the City of Newark, or the nearest police station house in said city, within two hours after such death shall have taken place, provided, however, if such death takes place after sundown, then the said notice shall be given by 10 o'clock in the forenoon of the day ensuing.

Sec. 2. It shall be unlawful for any person or persons except the contractor for the removal of dead animals, to transport or carry any such animal as is described in the first section of this ordinance from the place where such animals shall have died to any place within or without the limits of the City of Newark, without having first obtained permission in writing therefor from said Board of Health or from the Chief of Police of the City of Newark, and no such permit shall be granted unless there is a written application for the same signed by the owner of the dead animal.

Sec. 3. If at any time, in the judgment of the Health Officer of the Board of Health, or of the Chief of Police of said city, any animal such as is mentioned in the first section of this ordinance, is a nuisance or offensive and likely to become dangerous to public health, or if the owner of such animal shall neglect or fail to apply for and receive the permit mentioned in the second section of this ordinance or in case such permit shall be given and said owner shall neglect or fail to remove such animal without the limits of the City of Newark within the time mentioned in the permit, or within such period of time after the death of such animal, as in the judgment of the Health Officer or said Chief of Police, is proper to prevent such animal from becoming a nuisance or offensive, and likely to be dangerous to public health, it shall be lawful for the health officer or said Chief of Police to cause the removal of such dead animal forthwith by the contractor for the removal of dead animals.

Sec. 4. It shall be unlawful for any person or persons to bring within the limits of the City of Newark, or carry or transport through the streets, avenues or highways thereof, any animal which shall have died from accident or disease or been killed for any purpose other than consumption for food without the limits of the City of Newark without having applied for and obtained permission in writing from this Board or the Health Officer; and no such permit shall be granted except upon the application mentioned in Section 2 of this ordinance.

Sec. 5. Any permit granted under the provisions of this ordinance may set forth such regulations in respect to such removal or transportation as, in the judgment of this Board or the Health Officer, may be necessary and proper to prevent such dead animal from becoming or being a nuisance or offensive and likely to be dangerous to public health; and the failure to comply with any of such regulations shall be considered a forfeiture of the permit, and shall subject such person or persons to the penalties hereinafter prescribed for the removal or transportation of such dead animals without the permit hereinbefore prescribed.

Sec. 6. Any person or persons, firm or corporation, which shall be convicted of a violation of any of the provisions of this ordinance shall be imprisoned not exceeding ten days or shall pay a fine not exceeding fifty dollars.

Sec. 7. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 8. This ordinance shall take effect immediately.

Approved December 3, 1913.

AN ORDINANCE TO REGULATE THE SLAUGHTER OF POULTRY IN PUBLIC MARKETS IN THE CITY OF NEWARK, N. J.

Be it ordained by the Board of Health of the City of Newark as follows:

Section 1. It shall be unlawful for any person,

firm or corporation to slaughter poultry in the City of Newark without having first obtained from the Board of Health of said city a permit for that purpose. Such permit may be issued by said Board of Health upon the payment of a fee of sixty dollars (\$60.00), and said permit shall expire at the end of one year from the date thereof. The building shall be used for the keeping, slaughtering and sale of poultry only.

Sec. 2. All buildings in which poultry slaughtering shall be carried on in the City of Newark shall conform with the following requirements:

1. The floors thereof shall be paved with material impervious to moisture and shall be properly sloped to a well-trapped inlet having direct connection with a sewer. The walls of the room in which slaughtering is actually carried on shall be covered to a height of six feet with smooth, moisture-proof material, and the remainder of the walls and ceiling shall be finished with a smooth, hard surface.

2. Plucking shall not be carried on in a room used for slaughtering. Water-tight receptacles shall be provided for all refuse and shall be properly covered and removed daily.

3. All buildings used for the purpose of slaughtering poultry shall be well ventilated and provided with one or more skylights opening directly to the outer air.

4. All coops shall be made of heavy wire and of uniform size. All stands or counters shall be built substantially and covered with marble, slate, zinc or tin. Stands, counters and coops shall be raised from the floor in such a way as to permit flushing underneath the same. A plentiful supply of water shall be provided. Stands and counters shall be arranged to allow a clear and even passageway to the public.

5. All parts of such poultry slaughter houses shall be at all times kept in sanitary condition.

6. Proper toilets and urinals must be provided for both sexes.

Sec. 3. Any person, persons, firm or corporation that shall violate any of the provisions of this ordinance shall, upon conviction, forfeit and pay the sum of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00).

Sec. 4. All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

Sec. 5. This ordinance shall take effect immediately.

Approved December 2, 1913.

The following amendment was adopted February 1, 1916:

"Each stall holder in public poultry slaughter houses shall be required to secure an annual poultry permit from the Board of Health for the purpose of keeping live poultry at said stall. No such permit shall be issued until the requirements of the Board or of the Health Officer to insure a sanitary conduction of the premises, shall first have been met or complied with. Such permits shall expire on the first day of May of each year. The fee for such permit will be one dollar (\$1.00)."

AN ORDINANCE TO REGULATE THE SLAUGHTER OF POULTRY IN PRIVATE SLAUGHTER HOUSES IN THE CITY OF NEWARK, N. J.

Be it ordained by the Board of Health of the City of Newark as follows:

Section 1. A permit for private slaughtering may be issued by the Board of Health upon the payment of a fee of ten dollars (\$10.00), and said permit shall expire at the end of one year from the date thereof.

Sec. 2. The word "private" slaughter house for the slaughtering of poultry shall mean slaughter houses conducted by a person or persons engaged in the slaughtering of poultry for their own private retail trade, and shall comply with the following requirements:

1. That the building used for the slaughtering of poultry shall be a separate building, and shall be used for no other purpose and no permit shall be granted where more than two families live or dwell upon the premises.

2. The floors thereof shall be paved with material impervious to moisture, and shall be prop-

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erly sloped to a well-trapped inlet having direct connection with a sewer.

3. The walls of the room in which slaughtering is actually carried on shall be covered to a height of five feet with smooth, moisture-proof material, and the remainder of the walls and ceiling shall be finished with a smooth, hard surface.

4. Water-tight receptacles shall be furnished for all refuse, and shall be kept properly covered and shall be removed from premises daily. All buildings used for the purpose of slaughtering poultry shall be well ventilated and provided with one or more skylights opening directly to the outer air. All coops shall be made of heavy wire, and shall be of uniform size. All stands and counters shall be built substantially, and shall be covered with marble, slate, zinc or tin. Stands, counters and coops shall be raised from the floor in such way as to permit flushing underneath the same. A plentiful supply of water shall be provided.

5. All parts of such poultry slaughter houses shall at all times be kept in a sanitary condition.

Sec. 3. Any person or persons who shall violate any of the provisions of this ordinance shall, upon conviction, forfeit and pay the sum of not less than ten dollars (\$10.00), nor more than fifty dollars (\$50.00).

Sec. 4. All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

Sec. 5. This ordinance shall take effect immediately.

Approved December 2, 1913.

AN ORDINANCE REGULATING RUMMAGE SALES AND THE SALE OF SECOND-HAND WEARING APPAREL OR BED CLOTHING.

No rummage sale shall be held without permission of the Board of Health and no second-hand wearing apparel or bed clothing shall be sold or exposed for sale in the City of Newark, unless they have been previously disinfected to the satisfaction of the Board of Health. No second-hand mattresses or used mattresses may be made over or used in new ones without being properly disinfected. Any second-hand mattresses brought into this city must be accompanied by a certificate from the Board of Health having jurisdiction over the locality from whence it is brought, certifying to the fact that it has not been subject to any contamination with infectious or communicable disease.

Any person or persons who shall violate or shall fail to comply with any of the sections of this ordinance shall, on conviction thereof, forfeit and pay a penalty of ten dollars (\$10.00) for the first offense and for each subsequent offense the sum of twenty-five dollars (\$25.00).

Adopted February 1, 1916, and amended August 1, 1916.

AN ORDINANCE FOR THE MAINTENANCE OF BIRD STORES.

No bird store, in which are kept pigeons, guinea pigs, dogs, cats or other animals for sale, shall be allowed to be maintained or conducted without a permit from the Board of Health having first been obtained, which permit shall expire on the last day of December of each year, and the fee for which shall be one dollar. No permit shall be granted to any bird store unless the requirements of the Board of Health or the Health Officer, to insure a sanitary condition of the premises, shall first have been met or complied with.

Any person or persons who shall violate or shall fail to comply with any of the sections of this ordinance shall, on conviction thereof, forfeit and pay a penalty of ten dollars (\$10.00) for the first offense and for each subsequent offense the sum of twenty-five dollars (\$25.00).

Adopted February 1, 1916, and amended August 1, 1916.

AN ORDINANCE TO REQUIRE THE REPORTING OF HOOKWORM AND VENEREAL CASES TO THE BUREAU OF HEALTH IN THE DEPARTMENT OF PUBLIC AFFAIRS.

The Board of Commissioners of the City of Newark, Do Ordain:

1. Every practicing physician shall report in writing to the Bureau of Health in the Department of Public Affairs, the name of every patient he or she shall have under his or her professional care or treatment, who shall be affected with uncinariasis, commonly known as hookworm, or with syphilis, gonorrhea or chancroid, or their complications together with the precise locality where such patient may be found, immediately after such physician shall ascertain or suspect the nature of such disease.

2. In cases of syphilis, gonorrhea or chancroid or their complications, the Bureau of Health shall not disclose the names or addresses of any persons reported as suffering from the same. The reports of these diseases shall be sent in sealed envelopes.

3. The penalty to be paid by any person or persons failing to comply with the requirements of this ordinance shall be, on conviction, the payment of fifty dollars.

4. This ordinance shall take effect immediately. July 18, 1918.

AN ORDINANCE TO REGULATE THE HEATING OF CERTAIN BUILDINGS IN THE CITY OF NEWARK.

Whereas, It is deemed necessary for the protection of the health of the people of the City of Newark that the temperature of the building wherein they are obliged to live and work shall be maintained at a reasonable standard.

Therefore, the Board of Commissioners of the City of Newark Do Ordain:

Section 1. It shall be the duty of every person, firm or corporation who shall have contracted or undertaken, or shall be bound, to heat or to furnish heat for any building or portion thereof, occupied as a home or place of residence of one or more persons, or as a business establishment where one or more persons are employed, to heat or to furnish heat for every occupied room in such building or portion thereof, so that a minimum temperature of sixty-eight (68) degrees Fahrenheit may be maintained therein at all such times. Provided, however, that the provisions of this section shall not apply to buildings or portions thereof, used and occupied for trades, businesses, or occupations where high or low temperatures are essential.

For the purpose of this section, wherever a building is heated by means of a furnace, boiler or apparatus under the control of the owner, agent or lessee of such building, such owner, agent or lessee, in the absence of a contract or agreement to the contrary, shall be deemed to have contracted, undertaken, or bound himself or herself to furnish heat in accordance with the provisions of this section.

The term "at all such times," as used in this section, unless otherwise provided by a contract or agreement, shall include the time between the hours of six o'clock in the morning and ten o'clock in the evening in a building or portion thereof, occupied as a home or place of residence, and during the usual working hours maintained and established in a building or portion thereof, occupied as a business establishment, each day whenever the outer temperature shall fall below fifty (50) degrees Fahrenheit.

The term "Contract," as used in this section, shall be taken to mean and include a written, verbal, or implied contract, lease or letting, and the presence of heating outlets, radiators, risers or returns in any hall or apartment, or subdivisions of a house, shall be prima facie evidence of an implied contract.

Sec. 2. Any person, firm or corporation convicted of a violation of this ordinance, shall, on the first conviction thereof, forfeit and pay a penalty of one hundred dollars, and on any second or subsequent conviction, shall forfeit and pay a penalty of two hundred dollars.

Sec. 3. This ordinance shall take effect immediately.

AN ORDINANCE PROHIBITING THE SALE AND EXPOSURE FOR SALE OF MEAT IN THE CITY OF NEWARK BEFORE INSPECTION.

The Board of Commissioners of the City of Newark, Do Ordain:



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1. It shall be unlawful for any person, firm or corporation to expose, or offer for sale or sell, or otherwise dispose of or bring into the City of Newark with intent to sell before inspection as hereinafter provided, the carcass of cattle, calf, sheep, lamb, goat or swine which does not have upon it the meat inspection brand or other official mark of identification of the Department of Health of the City of Newark or meat inspection brand or other official mark of any state or municipality whose meat inspection standard is equal to and recognized as such by the Newark Department of Health or the meat inspection brand or other mark of identification of the United States Department of Agriculture.

The carcass of any animal hereinbefore named or part thereof offered or exposed for sale in the City of Newark which does not bear any of the meat inspection brands or marks recognized by the Department of Health of Newark, shall be inspected and stamped or destroyed by the Health Officer or by his order.

2. The carcasses of animals slaughtered outside the City of Newark may be brought in for inspection by the Department of Health under the following rules, viz.: All carcasses shall have attached, by their natural connections, the head, including the tongue, the lungs, the liver, the pleura, the peritoneum and all body lymph glands. Each of said carcasses will be inspected and stamped by the Department of Health at the point of arrival of such carcasses or at such places as may be designated by the Department and shall be presented for inspection at such place or places as may be ordered by said Department.

3. All carcasses, meats or meat food products which are unsound, unhealthful, unwholesome or otherwise unfit for food, shall be stamped or otherwise marked by the Department of Health of the City of Newark, "Condemned—Department of Health, Newark, N. J.," and shall be destroyed.

4. It shall be unlawful for any person, firm or corporation or officer or agent or any person, firm or corporation, or officer or agent, or employee thereof, to forge, counterfeit, simulate or falsely represent or without authority to use or detach or knowingly or wrongfully alter, deface or destroy any of the stamps or marks or brands or tags recognized by the Department of Health of Newark, on any cattle, calf, sheep, lamb, goat or swine or any carcass, or on any part or parts of any carcass or carcasses of any animal named in Section 1 of this ordinance.

5. Any person, firm or corporation, violating any of the provisions of this ordinance or failing to comply with any direction or order of the Department of Health of the City of Newark, given pursuant to the provisions of this ordinance by the Health Officer or any other agent of said Department of Health, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) or by imprisonment in the county jail for a period of not less than ten (10) days nor more than three (3) months, or both.

6. Each day that the violation of this ordinance or the failure to comply with the directions of the Department of Health of the City of Newark, given in accordance with this ordinance, shall continue, shall constitute a new and separate offense, and shall be punishable accordingly, as herein provided.

7. The ordinance entitled "An ordinance requiring the inspection of meat exposed for sale or sold in the City of Newark and the destruction of condemned meats," approved May 23, 1918, and

the ordinance entitled "An ordinance to amend an ordinance entitled 'An ordinance requiring the inspection of meat exposed for sale or sold in the City of Newark, and the destruction of condemned meats,'" approved December 26, 1918, together with all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

8. This ordinance shall take effect immediately. Adopted February 10, 1922.

AN ORDINANCE REGULATING THE HANDLING OF FOODSTUFFS IN THE CITY OF NEWARK.

The Board of Commissioners of the City of Newark, Do Ordain:

Section 1. No person shall engage in the business nor shall any person, firm or corporation employ any person in the business of handling any foodstuffs, in the City of Newark, intended or suited for human consumption, unless such person shall have previously filed with the Health Officer a medical certificate from a physician duly licensed to practice medicine in this State, setting forth that such person is free from tuberculosis or any contagious disease; provided, however, that this section shall not apply to the handling of meats or any foodstuffs which are ordinarily cooked or peeled before consumption or which are enclosed in cans or other receptacles. The term "contagious disease" as herein employed shall be held to include any disease of an infectious, contagious or pestilential nature with which any person may be sick, affected, or attacked.

Sec. 2. The medical certificate referred to in this ordinance shall be made out upon blanks to be supplied by the Health Officer, and when filed, shall be good for a period of six months. A separate certificate shall be filed for each person.

Sec. 3. Any person, persons, firm or corporation violating any section of this ordinance shall, upon conviction thereof, be subject to a fine not to exceed twenty-five dollars, or to imprisonment for ten days in the county jail, or both, for the first offense; and for each subsequent offense shall be subject to a fine of not to exceed fifty dollars or to imprisonment in the county jail for a period not to exceed thirty days or both.

Sec. 4. This ordinance shall take effect immediately.

Adopted October 10, 1918.

AN ORDINANCE TO REQUIRE THE REPORTING OF SPANISH INFLUENZA, RUSSIAN INFLUENZA, TO THE BUREAU OF HEALTH IN THE DEPARTMENT OF PUBLIC AFFAIRS.

The Board of Commissioners of the City of Newark, Do Ordain:

Section 1. Every practicing physician shall report, in writing, to the Bureau of Health in the Department of Public Affairs, the name of every patient he or she shall have under his or her professional care or treatment, who shall be affected with Spanish Influenza, Russian Influenza, or any other form of influenza, together with the precise locality where such patient may be found, immediately after such physician shall ascertain or suspect the nature of such disease.

Sec. 2. The penalty to be paid by any person or persons failing to comply with the requirements of this ordinance shall be, on conviction, the sum of fifty dollars.

Sec. 3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 4. This ordinance shall take effect immediately.

Adopted October 13, 1918.

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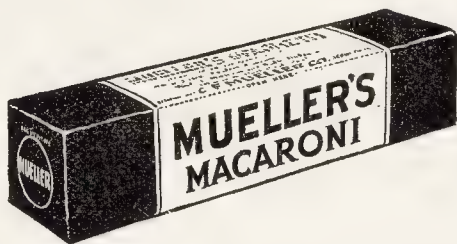
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AN ACT TO SECURE THE PURITY OF FOODS, BEVERAGES, CONFECTIONERY, CONDIMENTS, DRUGS AND MEDICINES AND TO PREVENT DECEPTION IN THE DISTRIBUTION AND SALES THEREOF (REVISION OF 1907).

Approved May 20, 1907.

No person shall distribute or sell, or manufacture for distribution or sale, or have in his possession with intent to distribute or sell, any article of food or drug which under any of the provisions of this act is or shall be deemed to be adulterated or misbranded. (a)

2. The term "drug," as used in this act, shall include all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used internally or externally for the cure, mitigation or prevention of disease of man or animal; the term "food," as used in this act, shall include every article used for food or drink by man or animal, and every ingredient of such article, and all confectionery, and condiments.

3. For the purpose of this act an article shall be deemed to be adulterated—

In the case of drugs:

First. If when a drug is sold under or by a name recognized in the United States Pharmacopoeia, or National Formulary, or is contained in a bottle, box or other container, bearing a name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality or purity laid down in the United States Pharmacopoeia or National Formulary, official at the time of investigation; provided, that no drug sold under or by a name recognized in the United States Pharmacopoeia or National Formulary, or contained in a bottle, box or other container, bearing a name recognized in the United States Pharmacopoeia or National Formulary, except any drug sold under or by the name of any preparation of opium, iodine, camphor, ginger or peppermint, or contained in a bottle, box or other container bearing the name of any such preparation, shall be deemed to be adulterated under this section if the standard of strength, quality or purity be plainly and correctly stated upon the bottle, box or other container thereof, although the standard may differ from that laid down in such United States Pharmacopoeia or National Formulary.

Second. If its strength or purity falls below the professed standard or quality under which it is sold.

In the case of confectionery:

If it contains terra alba, barytes, talc, chrome yellow or other mineral substance, or poisonous color or flavor, or other ingredient, deleterious or detrimental to health, or any vinous, malt, or spirituous liquor, or compound or narcotic drug.

In the case of food:

First. If any substance has been mixed or packed with it so as to reduce or lower or injuriously affect its quality or strength.

Second. If any substance has been substituted wholly or in part for the article.

Third. If any valuable constituent of the article has been wholly or in part abstracted.

Fourth. If it be mixed, colored, powdered, coated or stained in a manner whereby damage or inferiority is concealed.

Fifth. If it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health; provided, that when in the preparation of food products for shipment they are preserved by any external application applied in such manner that the preservative is necessarily removed mechanically or by maceration in water, or otherwise, and directions for the removal of said preservative shall be printed on the covering or the package, the provisions of this act shall be construed as applying only when said products are ready for consumption.

Sixth. If it consists in whole or in part of a filthy, decomposed or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that

has died otherwise than by slaughter.

4. The term "misbranded," as used herein, shall apply to all drugs, or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design or device regarding such article, or the ingredients or substances contained therein, which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, Territory or country in which it is manufactured or produced.

For the purpose of this act an article shall also be deemed to be misbranded—

In the case of drugs:

First. If it be an imitation of or offered for sale under the name of another article.

Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha, or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, acetphenetidine, phenacetin or antipyrin or any derivative or preparation of any such substances contained therein; provided, that nothing in this subdivision contained shall be construed to apply to such preparations as are specified and recognized by the United States Pharmacopoeia or National Formulary, which are in accordance therewith, or to the compounding of family or domestic recipes, or the filling of prescriptions furnished by practicing physicians, dentists or veterinarians, the originals of which recipes and prescriptions are retained and filed by the druggists compounding or filling the same; and provided further, however, that nothing in this act contained shall be construed to apply to such drugs or medicines as are personally dispensed by legally licensed physicians, dentists or veterinarians in the course of their practice as such physicians, dentists or veterinarians.

Third. If its package or label shall bear or contain any statement, design or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein which is false or fraudulent.

In the case of food:

First. If it be an imitation of or offered for sale under the distinctive name of another article.

Second. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, acetphenetidine, or phenacetin or antipyrin, or any derivative or preparation of any such substances contained therein.

Third. If in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure or numerical count; provided, however, that reasonable variations shall be permitted, and that the State Board of Health shall, by resolution, fix such tolerances and exemptions as to small packages as shall have been or may hereafter be fixed by the Secretary of the Treasury, the Secretary of Agriculture and the Secretary of Commerce and Labor of the United States of America, and such tolerances and exemptions shall be published at the end of the session laws of the Legislature next thereafter published after the adoption of said resolution and such tolerances and exemptions as fixed in said resolution shall take effect when so published; provided, however, that if any such tolerance or exemption so adopted shall be changed by the three secretaries above men-

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tioned, it shall not continue in effect in this State after such change has become effective.

Fourth. If the package containing it, or its label shall bear any statement, design or device regarding the ingredients or the substances contained therein, which statement, design or device shall be false or misleading in any particular.

5. No article shall be deemed to be adulterated or misbranded within the meaning of this act when specially prepared for export to any foreign country, if such article shall be prepared and packed according to the directions of the foreign purchaser, and if no substance is used in the preparation or packing of such article which is prohibited by the laws of the foreign country for export to which said article was prepared; provided, that if such article shall be sold or offered for sale for use or consumption within the United States of America, then all the provisions of this act, with regard to adulteration and misbranding, shall apply thereto; and provided further, that all food products manufactured in this State during the years one thousand nine hundred and seven and one thousand nine hundred and eight, in which preservatives are used, which preservatives are not now specifically prohibited by the Department of Agriculture of the United States, shall be exempt from the provisions of this act; provided, the use of such preservatives is stated upon the label or in branding such products, and also the date of their manufacture.

6. No person shall distribute or sell, or have in his possession with intent to distribute or sell, any milk which contains less than eleven and one-half per centum of milk solids, or more than eighty-eight and one-half per centum of watery fluids, or less than three per centum of milk fats; provided, however, that it shall not be unlawful for any person to distribute or sell, or have in his possession with intent to distribute or sell, in a container having a capacity of not more than twelve fluid ounces, milk especially prepared for infant or invalid feeding by adding thereto pure water, lime water, milk sugar, cereal starches or other substances which shall not differ in purity, quality or strength from the standard fixed by this act, or by removing therefrom the sugar or any part thereof, if every such container have blown or moulded in it the words "modified milk" in letters which shall not be less than one-quarter inch in height and the several lines of which shall not be less than one-sixteenth of an inch in width; and provided also, that the milk in such container before modification shall have been milk of the standard fixed by this act.

7. No person shall distribute or sell, or have in his possession with intent to distribute or sell, any cream which contains less than sixteen per centum of milk fats, unless the amount of milk fat contained therein is plainly and legibly marked on the outside of every can, bottle, vessel or container in which such cream is kept, stored, shipped, transported, or from which it is sold.

8. No person shall distribute or sell, or have in his possession with intent to distribute or sell, any milk or cream which contains any water, drug, chemical, preservative, coloring matter, condensed milk, or any substance of any kind or character which has been added thereto or mixed therewith; provided, however, it shall not be unlawful for any person to distribute or sell, or have in his possession with intent to distribute or sell, any milk or cream modified especially for infant or invalid feeding, by adding thereto or mixing therewith pure water, lime water, milk sugar, cereal starches or other substances, as provided for in section six of this act, if such modified milk shall be in container having a capacity of not more than twelve fluid ounces, which container shall be marked as provided for in section six of this act. No person shall distribute or sell, or have in his possession with intent to distribute or sell, any milk or cream which is the product, in whole or in part, of any animal kept in a crowded, uncleanly or unhealthy place or condition, or which is the product, in whole or in part, of any animal fed on swill, or any substance in a state of rotteness or putrefaction, or on any substance of an unwholesome nature, or on any food or substance which may produce diseased

or unwholesome milk. No person shall distribute or sell, or have in his possession with intent to distribute or sell, any milk or cream which is produced, in whole or in part, from any animal within fifteen days before or five days after parturition. (a)

9. No person shall sell, or offer or expose for sale, or have in his possession for the purpose of sale, any milk from which the cream, or any part thereof, has been removed, unless every can, vessel or package containing such milk shall have a metal label or tag of metal distinctly, durably and permanently soldered in a conspicuous place upon the outside, and not more than six inches from the top thereof, with the words, "skimmed milk" stamped, indented or engraved on the label or tag in letters not less than two inches in height, and the several lines of which shall not be less than three-eighths of an inch in width; provided, however, that every glass bottle, in lieu of such label or tag, may have blown in it the words "skimmed milk" in letters which shall not be less than one inch in height, and the several lines of which shall not be less than one-eighth of an inch in width; such milk shall only be sold or shipped in or retailed out of a can, bottle, vessel or package so marked. (b)

10. No person shall distribute or sell, or offer for distribution or sale, or have in his possession with intent to distribute or sell, any milk which has been produced, in whole or in part, by any animal which is not daily supplied with pure and wholesome water; and no person shall wash or attempt to cleanse any can, bottle, vessel or utensil used for handling or transporting milk which is intended for distribution or sale in water which is polluted, contaminated or impure.

11. No person having the possession or care of any milk which is intended for sale or distribution shall permit it to be exposed to, or contaminated by, the emanations, discharges or exhalations from any person sick with any contagious disease; and no person shall distribute or sell, or offer to distribute or sell, or have in his possession with intent to distribute or sell, any milk which has been so exposed or contaminated.

12. No person having custody of a milk can, bottle or other vessel used as a container for milk intended for sale or distribution shall place, or permit to be placed, therein any article or substance other than milk or its products, or water or other agent used for cleansing such can, bottle or vessel.

13. No person shall send, ship, return or deliver, or cause or permit to be sent, shipped, returned or delivered, to any producer, wholesaler or retailer of milk within this State any can, bottle or other vessel used as a container of milk containing any article or substance other than milk or its products.

14. It shall be the duty of any person, persons or corporation to whom milk is shipped by any person in this State, before returning to such shipper the can or vessel used for transporting such milk, to remove all milk from such can or vessel and to thoroughly rinse such can or vessel with pure water, or to cause the same to be done; and it shall be the duty of any person, persons or corporation shipping milk to any point or points within or without this State to thoroughly cleanse, or cause to be cleansed, the can or vessel used for transporting such milk before the milk is placed therein.

15. No person shall in any way or manner erase, cancel, obliterate, deface, cover, remove or alter any brand, tag, label or other marking required by any of the provisions of this act to be attached or affixed to any can, vessel, package or other container.

16. No person shall distribute or sell, or offer for distribution or sale, or have in his possession with intent to distribute or sell, as cider vinegar or apple vinegar, any vinegar which is not produced exclusively by the alcoholic and subsequent acetous fermentations of the juice of apples, or is laevorotatory, or the total amount of acid in one hundred cubic centimeters of which, calculated as acetic acid, is less than four grams, or which contains less than one and six-tenth

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grams of apple solids or less than twenty-five one-hundredths of one gram of apple ash in one hundred cubic centimeters. The water-soluble ash from one hundred cubic centimeters of the vinegar shall require not less than thirty cubic centimeters of decinormal acid to neutralize its alkalinity, and shall contain not less than ten milligrams of phosphoric anhydride.

17. No person shall distribute or sell, or offer for distribution or sale, or have in his possession with intent to distribute or sell, as wine vinegar or grape vinegar, any vinegar which is not produced exclusively by the alcoholic and subsequent acetous fermentations of the juice of the grape, or the total amount of acid in one hundred cubic centimeters of which, calculated as acetic acid, is less than four grams, or which contains less than one and four-tenths grams of grape solids, or less than thirteen one-hundredths of one gram of grape ash in one hundred centimeters.

18. No person shall distribute or sell, or offer for distribution or sale, have in his possession with intent to distribute or sell, as malt vinegar, any vinegar which is not made exclusively by the alcoholic and subsequent acetous fermentations, without distillation, of an infusion of barley, malt or cereals whose starch has been converted by malt, or is not dextrorotatory, or the total amount of acid in one hundred cubic centimeters of which, calculated as acetic acid, is less than four grams, or which contains less than two grams of solid or less than two-tenths of one gram of ash in one hundred cubic centimeters. The water-soluble ash from one hundred cubic centimeters of the vinegar shall require not less than four cubic centimeters of deci-normal acid to neutralize its alkalinity, and shall contain not less than nine milligrams of phosphoric anhydride.

19. No person shall distribute or sell, or offer for distribution or sale, or have in his possession with intent to distribute or sell, as sugar vinegar, molasses vinegar or syrup vinegar, any vinegar which is not made exclusively by the alcoholic and subsequent acetous fermentations of solutions of a sugar, syrup, molasses or refiners' syrup, or the total amount of acid in one hundred cubic centimeters of which, calculated as acetic acid, is less than four grams.

20. No person shall distribute or sell, or offer for distribution or sale, or have in his possession with intent to distribute or sell, as glucose vinegar, any vinegar which is not made exclusively by the alcoholic and subsequent acetous fermentations of solutions of starch sugar, glucose or glucose syrup, or is not dextrorotatory or the total amount of acid in one hundred cubic centimeters of which, calculated as acetic acid, is less than four grams.

21. No person shall distribute or sell, or offer for distribution or sale, or have in his possession with intent to distribute or sell, as spirit vinegar, distilled vinegar or grain vinegar, any vinegar which is not made exclusively by the acetous fermentations of dilute distilled alcohol, or the total amount of acid in one hundred cubic centimeters of which, calculated as acetic acid, is less than four grams.

22. No person shall distribute or sell, or offer for distribution or sale, or have in his possession with intent to distribute or sell, any vinegar, the total amount of acid in one hundred cubic centimeters of which, calculated as acetic acid, is less than four grams, or which contains any mineral acid, any artificial coloring matter or any preservative.

23. No person shall distribute or sell, or offer for distribution or sale, or have in his possession with intent to distribute or sell, any vinegar contained in any barrel, vessel, bottle or package, unless such barrel, vessel, bottle or package bears a label or imprint thereon in legible type, designating the name and address of the manufacturer of the vinegar and the name of the particular kind of vinegar contained therein. (a)

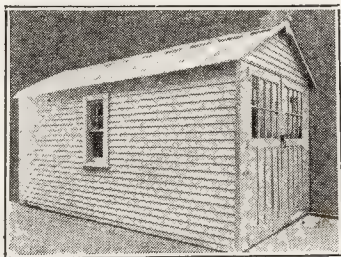
24. No person shall kill, or aid in killing, for human food, any calf less than four weeks old. No person shall sell, or offer for sale, or have in his possession with intent to sell, any calf which has been killed when less than four weeks old, or any of the meat of any such calf.

25. Every person who shall distribute or sell, or offer for distribution or sale, or have in his possession with intent to distribute or sell, any article of food or drug, shall on the request therefor and the tender of the value thereof by any chief or other inspector appointed under the authority of this act, deliver to such chief or other inspector so much of any such article of food or drug as said chief or other inspector may request; if such request shall not be immediately granted, said chief or other inspector shall thereupon have the power to demand and take so much or any such article of food or drug as such chief or other inspector may think proper, he, at the time of said demand and taking, tendering to the person in charge of such article of food or drug what he may deem to be the reasonable value thereof; said chief or other inspector shall at the time of the delivery to him of such article of food or drug, or of his demanding and taking the same, divide the sample so delivered or demanded and taken in the presence of the person of whom the request or demand was made, or of a witness or witnesses, into two or more parts, and shall duly seal two or more of said parts each in a suitable can, vessel or package, and, at the time of taking such sample, shall tender, and, if accepted, shall deliver one part to the person of whom the request or demand was made, with a statement in writing, signed by said chief or other inspector, that such sample is taken for the purpose of examination; and in any prosecution of any person for the violation of any provision of this act no proof of any analysis thereof shall be given in evidence by the prosecutor unless a part of the sample shall have been sealed up and tendered, with such writing as aforesaid, to the person of whom the request or demand was made; provided, however, that in any prosecution for the sale of food or drug in violation of this act, proof of the analysis of the article so sold may be given in evidence on the part of the prosecutor, notwithstanding the fact that the purchase of such article may have been made by some person other than the chief or other inspector appointed under the authority of this act, if such article so sold in violation of this act shall immediately after such sale be delivered by the person so purchasing said article to the chief or any other inspector appointed under the authority of this act, and said chief or other inspector shall, upon such delivery to him, in the presence of the person from whom the request or demand was made, or of a witness or witnesses, which witness may be the person who made the said purchase, divide the said article into two or more parts, and shall duly seal two or more of said parts, each in a suitable can, vessel or package, and shall tender, and, if accepted, shall deliver to the person who sold the said article one part of such sample, with a statement, in writing, signed by said chief or other inspector, that such sample is taken for the purpose of examination; the chief and every other inspector appointed under the authority of this act, whenever he has reason to believe that any of the provisions of this act concerning the sale or distribution of milk or cream or the offering or exposing of milk or cream for sale, or the having of milk or cream in possession for the purpose of sale, is being violated, shall have power to open any can, vessel or package containing such suspected milk or cream whether the can, vessel or package be sealed or locked or not, and whether it be in transit or not; and if upon inspection, he shall believe that such milk or cream is being distributed or sold, or had in possession with intent to distribute or sell, or offered or exposed for sale, contrary to any of the provisions of this act, he may, in the presence of one or more witnesses, take a sample thereof and seal it in a can, vessel or package, and send the sample thus enclosed and sealed for analysis to any chemist appointed under the authority of this act; he may also in any such case, condemn such milk or cream and pour it upon the ground. (a)

26. The members of the State Board of Health, and all chemists, inspectors and employees appointed by said board under authority contained in this act, shall have full and free access, in-

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gress and egress to all places of business, factories, farms, buildings, hotels, restaurants, boarding-houses, carriages, cars, cans, vessels and containers used in the manufacture, sale, distribution or transportation of any article or product of food or drug; they shall also have power to examine and open any package, can or vessel containing, or believed to contain, any article of food or drug which may be manufactured or sold, or exposed for sale, or had in possession with intent to sell, in violation of any of the provisions of this act, and may inspect the contents therein and may take therefrom samples for examination.

27. No person shall obstruct or in anywise interfere with any analyst, chemist, chief or other inspector or employee of the State Board of Health in the performance of any duty under this act.

28. Any standard of purity, quality or strength of any food or drug, the purity, quality or strength of which is not fixed by law of this State, which standard has been or hereafter may be established and published by the Secretary of the Department of Agriculture of the United States of America, may be adopted by the Board of Health of this State by resolution duly adopted at a regular meeting of said board, which resolution shall be certified to the Secretary of State by the Secretary of the State Board of Health, and shall be published at the end of the session laws of the Legislature next thereafter published after the adoption of said resolution, and the standard of purity, quality or strength of any food or drug as fixed in said resolution shall take effect when so published; provided, however, that if any such standard so adopted shall be changed by the Secretary of said Department of Agriculture it shall not continue in effect in this State after such change has become effective.

29. No person shall sell, or offer or expose for sale, or have in his possession with intent to sell, or manufacture for sale, any article of food or drug which differs in purity, quality or strength from the standard adopted and published in accordance with section twenty-eight of this act.

30. The board of health of any municipality in this State shall enforce the provisions of this act within said municipality, and shall have the power to designate from among its sanitary inspectors one or more inspectors who shall be known as inspector or inspectors of foods and drugs of such municipality, and whose duties shall be, besides the usual duties of a sanitary inspector in such municipality, to aid in the enforcement of this act in such municipality, and who shall have within the limits of such municipality all the powers and authority given to any inspector appointed under the provisions of this act. Such board may also appoint one or more analysts.

31. The State Board of Health shall enforce the provisions of this act, and shall have the power from time to time to adopt, promulgate and publish, by circular or otherwise, such general rules and regulations for the government of the analysts, chemists, chief inspector, and such other inspectors and employees appointed by the said board, as they may deem proper; they shall also have the power to give to any analysts, chemists, chief inspector, and other inspector or employee appointed by the said board, such orders concerning any performance of duty as they from time to time may deem proper; they shall also have the power from time to time to appoint such analysts, chemists, chief inspector, and other inspectors and employees, as they may deem proper, who shall hold their respective positions during the pleasure of said board, and perform such general or special services as said board may by their general rules and regulations or by their special orders require, and to fix and allow to said analysts, chemists, chief inspector, and other inspectors and employees, respectively, such salaries, fees or compensation as the said board shall deem to be reasonable, which salaries, fees and compensation shall be paid out of the appropriations from time to time made by the Legislature for carrying out the provisions of this act; the said board shall have the power, and it shall be their duty, through said analysts, chemists, chief inspector, and other inspectors and employees, and

in such other ways as the said board may deem practicable, to make inquiries and investigations concerning alleged or probable violations of any of the provisions of this act, to cause any and all persons guilty of any violation thereof to be prosecuted under the provisions of this act, and, generally to adopt, carry out and enforce such rules and regulations as shall promote the purposes of this act.

32. Every person who shall violate any of the provisions of the first, eighth, eleventh, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third or twenty-fourth sections of this act shall be liable to a penalty of fifty dollars for the first offense, one hundred dollars for the second offense and two hundred dollars for the third and each subsequent offense.

33. Every person who shall violate any of the provisions of the twenty-seventh section of this act shall be liable to a penalty of one hundred dollars for the first offense and to a penalty of two hundred dollars for the second and each subsequent offense.

34. Every person who shall violate any of the provisions of the sixth section of this act shall be liable to a penalty of twenty-five dollars for the first offense and to a penalty of fifty dollars for the second and each subsequent offense; provided, however, that in any such case it shall be the duty of the Board of Health of the State of New Jersey or the local board of health, as the case may be, within forty-eight hours after making an analysis to cause to be mailed to the person charged with such violation a notice, stating that an analysis of the milk taken from the possession of such person has shown the same to be below the statutory standard with regard to solids, and that therefore such person is guilty of a violation of this act, and stating the liability incurred by such person by reason of such violation. In case the person charged with such violation has not previous thereto paid a penalty for any alleged violation of this act, or has not been convicted of any violation of this act, and shall within fifteen days after mailing of said above-mentioned notice pay to the Attorney General of this State, for the use of the State, or to the local board of health, for the use of the municipality, as the case may be, a penalty of fifteen dollars, no action for the recovery of a penalty shall be commenced against such person for said violation provided further, that hereafter the payment of a penalty for an alleged violation of this act, either before or after the institution of proceedings for the collection thereof, shall for the purposes of this subdivision be deemed equivalent to a conviction of the violation for which such penalty was paid.

It shall be a sufficient mailing of the notice required by this sub-division if the same is deposited in the post office, postage prepaid, addressed to the name and address given by the person in charge of the milk from which such sample was taken, to the inspector or other person who took the said sample, as the name and address of the owner of the said milk from which such sample was taken.

35. Every person who shall violate any of the provisions of the seventh, ninth, tenth, fifteenth or twenty-ninth section of this act shall be liable to a penalty of twenty-five dollars for the first offense and to a penalty of fifty dollars for the second and each subsequent offense.

36. Every person who shall violate any of the provisions of the fourteenth section of this act shall be liable to a penalty of ten dollars for each can, bottle or vessel returned or used in violation of said section or any of its provisions.

37. Every person who shall violate any of the provisions of the twelfth or thirteenth sections of this act shall be liable to a penalty of twenty-five dollars for each offense.

38. Payment of a penalty for any alleged violation of this act, either before or after the institution of proceedings for the collection thereof, shall, for the purposes of this act, be deemed equivalent to a conviction of the violation for which such penalty was claimed.

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39. When any person shall violate any of the provisions of this act by manufacturing or producing any article of food or drug for distribution or sale, or by having any such article in possession with intent to distribute or sell, or by offering or exposing any such article for sale, at different manufactories or places of business, or in different wagons or conveyances, on the same day or at the same time, the manufacture or production for distribution or sale, or possession with intent to distribute or sell, or offering or exposing for sale, of any such article in violation of any of the provisions of this act at each such manufactory, place of business, or in each such wagon or conveyance, on the same day or at the same time, shall be deemed a separate and distinct violation of this act.

40. Any and all penalties prescribed by any of the provisions of this act shall be recovered in an action of debt by and in the name of the Board of Health of the State of New Jersey, or by and in the name of any board of health of any municipality of this State, as the case may be, as plaintiff. The pleadings shall conform, in all respects, to the practice prevailing in the court in which any such action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being called to any such formal or technical defects therein if the same contain corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process the same may be amended, in the discretion of the court, as in any other action or proceeding in said court.

41. When judgment shall be rendered against any defendant other than a body corporate execution shall be issued against his goods and chattels and body without any order of the court for that purpose first had and obtained. If the officer executing any such writ shall be unable to find sufficient goods and chattels of said defendant in his bailiwick to make the amount of said judgment he shall take the body of the said defendant and deliver him to the keeper of the common jail of said county, there to be detained until discharged by the court in which such judgment was obtained, or by one of the justices of the Supreme Court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs. In case judgment shall be rendered against a body corporate execution shall be issued against the goods and chattels of such body corporate as in other actions of debt.

42. Any penalty recovered in any action brought under the provisions of this act shall be paid to the plaintiff therein. When such plaintiff is the State Board of Health, such penalty shall be paid by such board into the treasury of this State. When such plaintiff is a local board of health, such penalty shall be paid by such local board into the treasury of the township, city, borough, town or other local municipal government within which such local board has jurisdiction. (a)

43. The word "person," as used in this act, shall be construed to import both the plural and the singular, as the case may demand, and shall include corporations, companies, societies and associations, as well as individuals. When construing and enforcing any provisions, of this act, the act, omission or failure of any officer, agent or other person acting for or employed by any individual, corporation, company, society or association within the scope of his employment or office shall in every case be deemed to be the act, omission or failure of such individual, corporation, company, society or association, as well as that of the person.

44. Whenever any person shall violate any of the provisions of this act, it shall be lawful for the State Board of Health, either before or after the institution of proceedings for the collection of the penalty imposed by this act for such violation, to file a bill in the Court of Chancery

in the name of the State, at the relation of such board for an injunction to restrain such violation and for such other or further relief in the premises as the Court of Chancery shall deem proper, but the filing of such bill, nor any of the proceedings thereon, shall not relieve any party to such proceedings from the penalty or penalties prescribed by this act for such violation.

45. Whenever any member of the State Board of Health, or local board of health, or any chemist, inspector or other employee of said boards shall find any meat, milk, fish, bird, fowl, vegetable or other food of a perishable nature exposed or offered for sale, or had in possession with intent to sell, in violation of any of the provisions of this act, or in a state of rottenness or putrefaction, or in any condition which renders it, in his opinion, unwholesome or unfit for use for human food, he shall condemn the same, and cause it to be destroyed or disposed of in such a manner as to make it impossible to be thereafter used for human food. Any article of food or drug that is offered or exposed for sale, or had in possession with intent to distribute or sell, or is intended for sale or distribution in violation of any of the provisions of this act, or in any condition which renders it unwholesome or unfit for use as food, whether such article is in the custody of a common carrier or of any other person or corporation, such article not being in transit from one State to another, may be proceeded against in the Circuit Court or Court of Common Pleas, or District Court having jurisdiction in the county in which such food is exposed or offered for sale or had in possession or in custody as aforesaid, or before any judge of any such court, or before any justice of the peace in any such county, and seized for condemnation and confiscation, and authority and jurisdiction are hereby vested in the several courts above mentioned and in the judges thereof in vacation and in the several justices of the peace to issue the warrant and to hear and determine in a summary manner the proceedings herein provided for. Such proceedings shall be by complaint, verified by affidavit, which may be made on information and belief, and in the name of the Board of Health of the State of New Jersey or the local board of health, against the article or articles proceeded against, particularly describing the same, the place where they are located, the name of the person, firm or corporation in whose possession or custody they are found, if such name is known to the person making such complaint or can be ascertained by reasonable effort, and the respect in which such articles are adulterated or misbranded or the characteristics of the said articles which render the sale thereof illegal. Upon the filing of such complaint, verified as aforesaid, said court, judge or justice of the peace shall issue a warrant, directed to the sheriff or to any constable of the county commanding such officer to seize and take in his possession the article or articles described in the complaint, and bring the same before the court, judge or justice of the peace who issued the warrant, and to summon the person, firm or corporation named in the warrant, and any other person who may be found in possession of said article or articles, to be and appear at the time and place therein specified; such person shall be summoned by service of a copy of said warrant in the same way and manner as a summons issuing out of the court in which such warrant has been issued, is served, and when such warrant is issued by a justice of the peace, it shall be served upon such person in the same way and manner as a summons issuing out of the small cause court is served. The hearing upon such complaint shall be at the time and place specified in the warrant, which time shall not be less than five days or more than fifteen days from the date of issuing the said warrant; provided, however, that if the execution and service of the warrant, as aforesaid, has been less than three days before the return day of the warrant, then either party shall be entitled to a reasonable continuance. Upon the hearing the complaint may be amended, and any person, firm or corporation that appears and claims the said article or articles shall be required to file a claim

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in writing. If upon the hearing it shall appear that the goods seized under such warrant were offered or exposed for sale, or had in possession with intent to distribute or sell, or were intended for sale or distribution in violation of any provision of this act, or in any condition which rendered them unwholesome or unfit for food, the same shall be confiscated and disposed of by destruction or sale as the court, judge or justice of the peace may direct, and the proceeds thereof, if sold, less the legal costs and charges, shall be paid to the Board of Health of the State, which Board shall pay the same into the treasury of this State, or the local board of health for the use of the municipality, but such article shall in no instance be sold contrary to the provisions of this act. In case the articles so seized, as aforesaid, are not injurious to health, and are of such a character that, when properly marked or branded, their sale is not prohibited by this act, the court, judge or justice of the peace, upon the payment of the costs of the proceedings above mentioned and the execution and delivery to the Board of Health of the State of New Jersey, or to the local board of health, as obligee of a good and sufficient bond to the effect that such articles so seized, as aforesaid, shall not be sold or otherwise disposed of contrary to the provisions of this act or the laws of any State, Territory or district of the United States or of any of the laws of the United States, may, by order, direct that such articles be delivered to the owner thereof.

46. No dealer shall be prosecuted under the provisions of this act for distributing or selling, or having in his possession with intent to distribute or sell, any article of food or drug which under any of said provisions shall be deemed to be adulterated or misbranded; provided, that said article of food or drug is distributed or sold, or had in possession with intent to distribute or sell, in the original unbroken package in which it was received by said dealer, and that, in case said article was purchased by said dealer from a wholesaler, jobber, manufacturer or other person residing in this State, and said dealer can establish a guarantee, signed by such wholesaler, jobber, manufacturer or other person from whom he purchased such article, to the effect that the same is not adulterated or misbranded within the meaning of this act, designating it; or in case said article was purchased by said dealer from a wholesaler, jobber, manufacturer or other person residing in the United States of America, but outside of this State, and said dealer can establish a guarantee, signed by such wholesaler, jobber, manufacturer or other person from whom he purchased such article, to the effect that the same is not adulterated or misbranded within the meaning of an act of the Congress of the United States of America, entitled "An act for preventing the manufacture, sale or transportation of adulterated or misbranded, or poisonous or deleterious foods, drugs, medicines and liquors, and for regulating traffic therein, and for other purposes," approved June thirtieth, one thousand nine hundred and six, and the supplements and amendments thereof. Such guaranty, to afford protection, shall contain the name and address of the person making the sale of such article to such dealer, and in such case said person, if he is a resident of this state, shall be amenable to the prosecution, fines and other penalties which would attach in due course to the dealer under the provisions of this act. If the guaranty is signed by a person who resides outside of this State, then the Board of Health of this State shall report the facts in the case to the Secretary of Agriculture of the United States, or the proper officer appointed for the enforcement of the above-mentioned act of Congress; and provided further, that no guarantee that any article is not adulterated or misbranded within the meaning of the above-mentioned act of Congress, shall be effective to exempt any dealer from prosecution under this act, unless the provisions of the above-mentioned act of Congress and of this act covering the adulteration and misbranding of such guaranteed article are identical.

The provisions of the act relating to misbranding shall not apply to the distribution or sale, or to

the possession with intent to distribute or sell, by any dealer of such proprietary foods and medicines as were in such dealer's stock in this State on October first, nineteen hundred and eight; provided, that the package or other container in which such foods or medicines shall be contained shall be plainly and conspicuously marked with the words and figures "On hand Oct. 1st, 1908."

Nothing in this act contained shall be taken or construed to authorize or legalize the selling, or giving away, furnishing or disposing of any article, substance, admixture, or patent or proprietary remedy, the sale, gift, furnishing or disposition of which is prohibited, except upon the prescription, by any statute of this State.

47. Nothing in this act contained shall be construed to repeal, affect or impair the provisions of an act of the Legislature of this State entitled "A further supplement to an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,' approved March twenty-first, one thousand nine hundred and one," approved April twentieth, one thousand nine hundred and six, but said act shall continue in force as if this act had not been passed. All penalties imposed by said act shall be collected by an action of debt brought by and in the name of the Board of Health of the State of New Jersey, in accordance with the provisions of the fortieth and forty-first section of this act.

48. Nothing in this act contained shall be construed to repeal, affect or impair the provisions of an act of the Legislature of this State, entitled "An act to prevent deception in the sale of oleomargarine, butterine or any imitation of dairy products, and to preserve the public health," approved March twenty-second, one thousand eight hundred and eighty-six, or the acts supplementary thereto or amendatory thereof, but said act and its supplements and amendments shall continue in force as if this act had not been passed.

49. In case for any reason any section or any provision of this act shall be questioned in any court, and shall be held to be unconstitutional or invalid, the same shall not be held to affect any other section or provision of this act.

50. The State Board of Health may expend annually, for the purposes of carrying out the provisions of this act, a sum not exceeding twenty thousand dollars, which sum shall be paid by the Treasurer of this State upon the warrants of the Comptroller; provided, however, that an appropriation therefor shall first be made by the Legislature.

51. This act shall take effect, on the first day of October, one thousand nine hundred and eight.

SUPPLEMENT.

Approved April 14, 1908.

1. The book printed and published under the authority of the United States Pharmacopoeial Convention, known as the United States Pharmacopoeia, or any of the printed copies of such books, shall in any action or proceeding brought under any of the provisions of the act to which this act is a supplement, or any of the supplements or amendments thereof, be received as evidence of the contents of the United States Pharmacopoeia in any court of this State, or before any magistrate, and the court or magistrate may determine whether the book offered as such was so printed and published, either from inspection or the knowledge of the judge, judges or magistrates, or from testimony, and no error shall be assigned, or judgment reversed because of the admission of such book, unless it be shown by the party assigning such error or seeking to reverse such judgment that the book so offered in evidence was not, in fact, printed and published as such United States Pharmacopoeia under the authority of such convention, or was not, in fact, the edition of such United States Pharmacopoeia which it purported to be.

2. This act shall take effect on the first day of October, one thousand nine hundred and eight.

(a)

SUPPLEMENT.

Approved April 21, 1909.

1. Every building, room, basement or cellar occupied or used as a bakery, confectionery, can-

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penalty of one hundred dollars for the second and each subsequent offense. Payment of a penalty for any alleged violation of this act, either before or after the institution of proceedings for the collection thereof, shall, for the purposes of this act, be deemed equivalent to a conviction of the violation for which such penalty was claimed.

3. This act shall be enforced by the same boards and in the same manner as the act to which this act is a supplement, and all penalties incurred under this act shall be sued for and recovered by the same boards and in the same manner as penalties incurred under provisions of this act to which this act is a supplement.

4. This act shall take effect immediately.

SUPPLEMENT.

Approved April 20, 1915.

1. No person shall distribute or sell, or manufacture for distribution or sale, or have in his possession with intent to distribute and sell, any beverage which is a non-alcoholic drink within the meaning of this act, which contains any boric acid or borate, salicylic acid or salicylate, formaldehyde, hydrofluoric acid, or fluoride, fluoroborate, fluosulfate or other fluorine compound, dulcin, glucin, saccharin, betanaphthol, hydronaphthol, abstrastol, asapol, compound of copper, pyro-ligneous acid, coal-tar dye (except the certified colors now permitted by the United States Department of Agriculture, to wit: Amaranth, ponceau 3 R., erythrosin, orange I., naphthol yellow S., light green S. F. yellowish, indigo disulfo acid), saponin, except derived from soap bark or other substances deleterious to health.

2. No person shall distribute or sell, or have in possession with intent to distribute or sell, any non-alcoholic drink within the meaning of this act which is an imitation of any other non-alcoholic drink, unless the bottle or other container in which the same is contained is plainly marked with the word imitation or artificial on the label or cap thereof, in letters of the same size and type as those of the name of such non-alcoholic drink under which the same is distributed or sold, or had in possession with intent to distribute or sell.

3. The term "non-alcoholic drink" as used in this act shall include carbonated beverages of all flavors, sarsaparilla, ginger ale, soda-water of all flavors, lemonade, orangeade, root-beer, grape juice, and all other beverages of any kind or character, whether similar or not to the beverages specifically mentioned, either containing no alcohol at all or containing not more than one per centum of alcohol.

4. No person shall distribute or sell, or have in possession with intent to distribute or sell, any non-alcoholic drink at any place where false or fraudulent statements or designs are displayed concerning such non-alcoholic drink.

5. Any person who shall violate any of the provisions of this act, or any of the rules and regulations made under authority contained in this act, shall be liable to a penalty of fifty dollars for the first offense, and to a penalty of one hundred dollars for the second offense, and to a penalty of two hundred dollars for the third and each subsequent offense; such penalties may be sued for and recovered by the same boards and officials, and in the same manner, as provided for the recovery of penalties in the act to which this act is a supplement, and such penalties, when recovered, shall be paid to the board or official recovering the same in the same manner as penalties recovered under the provisions of the act to which this act is a supplement.

6. This act shall take effect on the first day of June, one thousand nine hundred and fifteen.

An Act to Prevent the Adulteration, and to Regulate the Sale of Skimmed Milk.

Approved March 21, 1912.

1. Every person who sells, or offers or exposes for sale, or has in his possession for the purpose of sale, any milk or condensed milk contained in any can or package having a capacity of forty quarts or more, from which milk or condensed milk, the cream or any part thereof has been removed, shall securely fix a label or tag in a conspicuous place upon the outside of every such can or package containing such milk or condensed

milk, and such label or tag shall have the words "skimmed milk" or "condensed skimmed milk," as the case may be, printed thereon in letters not less than one inch in height, and the several lines of which letters shall not be less than one-eighth of an inch in width, and such milk or condensed milk shall only be sold, or offered or exposed for sale, or had in possession with intent to sell, or shipped in a can or package so marked; provided, however, that this act shall in no way affect the requirements of section nine of an act entitled "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof (Revision of 1907)," approved May twentieth, one thousand nine hundred and seven, relative to the sale of skimmed milk at retail.

2. Every person who shall violate any of the provisions of section one of this act shall be liable to a penalty of twenty-five dollars for the first offense, and to a penalty of fifty dollars for the second and each subsequent offense, and each can or package sold, or offered or exposed for sale, or had in possession with intent to distribute or sell in violation of the provisions of the aforesaid section one shall be deemed to constitute a separate and distinct offense.

3. Any and all penalties prescribed by section two of this act shall be recovered in an action of debt by and in the name of the Board of Health of the State of New Jersey, or by and in the name of any board of health of any municipality of this State, as the case may be, as plaintiff. The pleadings shall conform in all respects to the practice prevailing in the court in which any such action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being called to any such formal or technical defect the same shall be immediately corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process the same may be amended, in the discretion of the court, as in any other action or proceeding in said court.

4. When judgment shall be rendered against any defendant other than a body corporate execution shall be issued against his goods and chattels and body without any order of the court for that purpose first had and obtained. If the officer executing any such writ shall be unable to find sufficient goods and chattels of said defendant in his bailiwick to make the amount of said judgment he shall take the body of the said defendant and deliver him to the keeper of the common jail of the said county, there to be detained until discharged by the court in which such judgment was obtained, or by one of the justices of the Supreme Court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs. In case judgment shall be rendered against a body corporate execution shall be issued against the goods and chattels of such body corporate as in other actions of debt.

5. Any penalty recovered in any action brought under the provisions of this act shall be paid to the plaintiff therein. When such plaintiff is the State Board of Health, such penalty shall be paid by such board into the treasury of this State. When such plaintiff is a local board of health, such penalty shall be paid by such local board into the treasury of the township, city, borough, town or other local municipal government within which such local board has jurisdiction.

6. This act shall take effect immediately.

SANITARY ACT.

CHAPTER 231, LAWS OF 1909.

A supplement to an act entitled "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof" (Revision of 1907), approved May twentieth, nineteen hundred and seven.

Be it enacted by the Senate and General Assembly of New Jersey:

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Wholesale Dealer In

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149-151 PACIFIC STREET

NEWARK, N. J.

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1. Every building, room, basement or cellar occupied or used as a bakery, confectionery, canner, packing-house, slaughter-house, dairy, creamery, cheese factory, restaurant, hotel, grocery, meat market, or other place or apartment used for the production, manufacture, preparation, packing, storage, or distribution of food intended for sale or distribution, shall be properly lighted, drained, plumbed and ventilated, and the operations carried on in such building, room, basement or cellar shall be conducted in such a manner that the purity and wholesomeness of the food therein produced, manufactured, prepared, packed, stored, sold or distributed shall not be impaired.

2. The floors, side walls, ceilings, furniture, receptacles, implements and machinery of every establishment, or place where food intended for distribution or sale is produced, manufactured, prepared, packed, stored, sold or distributed, and all cars, trucks and vehicles used in the transportation of such food products, shall at no time be kept in an unclean or unsanitary condition. All food intended for distribution or sale in the process of production, manufacture, preparation, packing, storing, sale, distribution or transportation shall be securely protected from flies, dust, dirt, and, so far as the same is possible, by the use of all reasonable means, from all other foreign or injurious contamination the refuse, dirt and waste products subject to decomposition or fermentation incident to the production, manufacture, preparation, packing, storing, sale, distribution or transportation of food, shall be removed daily. The clothing worn by all operatives, employees, clerks and other persons while engaged in work in any of the places where food intended for sale or distribution is produced, manufactured, prepared, packed, stored, sold, distributed or transported shall be in a clean condition at all times. No person shall transport any such food in such a manner that the purity or wholesomeness thereof shall be in any wise impaired.

3. The side walls of every bakery, confectionery, creamery, cheese factory, hotel or restaurant kitchen shall be well plastered, wainscoted or ceiled with metal or lumber, and shall be oil-painted, or kept well lime-washed, and all interior wood work in every bakery, confectionery, creamery, cheese factory, hotel or restaurant kitchen shall be kept well oiled or painted with oil paint, and shall be kept washed clean with soap and water; and every building, room, basement or cellar occupied or used for the preparation, manufacture, packing, storage, sale or distribution of food intended for distribution or sale in which food is exposed shall have a tight floor made of cement, or of tile laid in cement, brick, wood, or other suitable material which can be flushed or washed clean with water.

4. All operatives, employees, clerks, or other persons who handle the material from which food intended for distribution or sale is prepared, or the finished product, before beginning work and after visiting the toilet, shall wash their hands and arms thoroughly with clean water and soap, and every owner or manager of any place in which food is produced, manufactured, prepared, packed, stored, distributed or sold shall provide adequate facilities for such washing, and it shall be the duty of every such owner or manager to take all reasonable means to compel all operatives, employees, clerks, or other persons handling the material from which such food is prepared, or the finished product, to perform such washing as aforesaid. All toilets, lavatories and wash-rooms shall be separate and apart from the room or rooms where any process incident to the production, manufacture, preparation, packing, storage, sale or distribution of such food are carried on, and such toilets, lavatories and wash-rooms shall, at all times, be kept in a clean and sanitary condition.

5. Cuspidors for the use of operatives, employees, clerks, or other persons, shall be provided wherever necessary, and each cuspidor shall be emptied and thoroughly washed out daily with a disinfectant solution, and at least five ounces of such disinfectant solution shall be left in each cuspidor while the same is in use. No operative, employee, clerk, or other persons, shall expectorate anywhere in any building, room, basement or cel-

lar where the production, manufacture, preparation, packing, storage, sale or distribution of any food intended for sale or distribution is conducted, except in cuspidors provided for that purpose.

6. No person or persons shall be allowed to live or sleep in any room where food intended for sale or distribution is produced, manufactured, packed, distributed or sold.

7. No employer shall require, permit or allow any person to work, nor shall any person work in any building, room, basement, cellar or vehicle, occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution or transportation of food intended for sale or distribution who is affected with any communicable disease.

8. Whenever any person shall violate any of the provisions of this act, the State Board of Health or the local board of health having jurisdiction over the locality in which said violation occurred shall cause the person so violating this act to be prosecuted for the recovery of the penalty fixed in this act for said violation provided, however, that in any such case the said State Board or local board may, in their discretion, instead of prosecuting such person for the recovery of such penalty, cause an order to be served on such person, commanding him to discontinue or abate such violation, or to make such improvements as may be necessary to abate such violation, within a reasonable time to be fixed by said board, and stated in said order. Such order shall be in writing, and the person receiving such order shall have the right to be heard, either in person or by attorney, by the board making such order.

9. Any person who violates any of the provisions of this act, or refuses, neglects or fails to comply with any lawful order or requirement of the State Board of Health or of any local boards of health, duly made in writing, as provided in section nine of this act, shall be liable to a penalty not exceeding fifty dollars for the first offense, one hundred dollars for the second offense, and two hundred dollars for the third and each subsequent offense; such penalties to be recovered by an action of debt in the name of the State Board of Health or local board of health, as the case may be, in the manner prescribed for the recovery of penalties in the act to which this is a supplement.

10. When any person shall violate any of the provisions of this act, or shall refuse to comply with any orders duly made in writing, as provided for in section nine of this act, each day upon which such violation occurs shall be deemed to constitute a distinct and separate violation, and each day elapsing after the expiration of the time limit fixed for the compliance with the said order in writing shall be deemed to constitute a distinct and separate offense.

11. The State Board of Health shall make uniform rules and regulations for the carrying out of the provisions of this act, which said rules and regulations shall apply to all boards and persons entrusted with the enforcement of the provisions of this act.

12. An abstract of this law shall be prepared and furnished upon request by the Board of Health to every corporation, firm or person in this State who is affected thereby, and every person engaged in the production, manufacture, preparation, packing, storing, distribution, or transportation of food intended for sale or distribution to whom a copy of such abstract is sent or delivered shall post such abstract of this law, and keep it posted, in plain view in such place that it can be easily read by the employees or operatives in coming in or going from the place where the aforesaid business of such person is conducted.

Approved April 21, 1909.

EXAMINATION OF FOOD HANDLERS.

Authority.

Authority for periodic examination of food handlers is contained in the State Board of Health regulations and the Local Sanitary Code. The State rule covers restaurants, public kitchens and places where food is cooked. It reads in part as follows:

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Specializing in

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Telephone Mitchell 9724

NEWARK, N. J.
Formerly with H. C. Price

"Any waiter, cook or other person employed in any hotel, restaurant, boarding house or other place where cooked food is offered for sale, may be required to submit to a physical examination by a medical inspector of any local board of health, for the purpose of ascertaining whether or not he is affected by any communicable disease, whenever in the judgment of the health officer such examination may be necessary."

The local ordinance requires examination of all food handlers not included above, but permits private physicians certificates.

Clinic or Private Physician.

Restaurant and kitchen employees where food is cooked or served must come to our clinics. An exception is made for a few large department stores and insurance companies where complete clinic facilities are available. All other food handlers including grocers, milk dealers, confectioners, bakers, butchers, soda dispensers, etc., may be examined by a private physician or at our clinic (90% of these come to our clinic.) Where a private doctor examines, he must use forms from this Department and submit cultures to our laboratory.

The Examination.

The medical facilities are provided in our Health Building with its various dispensary clinics and is in immediate charge of the Director of the Tuberculosis Bureau, his nurses and doctors. Examinations are daily from 10 to 11 A. M. and 3 to 4 P. M. The applicants histories are taken in duplicate, one retained by the Tuberculosis division and the other taken by food handlers to the various clinics where they are given an examination for lungs, skin, venereal diseases and any other evidences of contagion. A swab of nose and throat is routine. Where indications call for other specimens, wassermanns, smears or cultures are also taken. Each doctor O. Ks. the history.

The applicant then takes this to the Food and Drug division, where it is filed and a small food handlers card given together with printed advice as to personal hygiene and care of the card. Where there is doubt as to positive diagnosis, for any reason whatsoever, the employee is given a re-examination slip which is shown to the Food and Drug division and a temporary "short period card is given" this is usually for one week or one month, the latter being true, particularly where there is an inactive case discovered. Such persons are re-examined until either approved or rejected.

When an applicant is rejected, the doctor notifies the Food and Drug division, which in turn notifies the employee and employer in writing.

The Card.

The food handlers card is for a definite six months period. In order to prevent too great a number at one time a "stagger" has been adopted. For instance, restaurant cards expire January and July, milk and grocery cards expire March and September, etc.

Various colored cards used for different types of occupation, and each contains a complete description, color, weight, eyes, hair, etc., to prevent its use by another. Employees must personally retain this card at all times when working and show it to the inspector on his visits.

Violations.

The restaurant inspectors notify the various establishments as to when to send their employees, in order to eliminate the possibility of all arriving on the same days. It is also their routine practice to inspect and compare cards when visiting food places. Any employee found working, who has been rejected or any employer permitting a food handler to work without a card is prosecuted. A number of fines varying from \$10 to \$25 have been collected in court, although violations are not frequent as the procedure is thoroughly known in the business.

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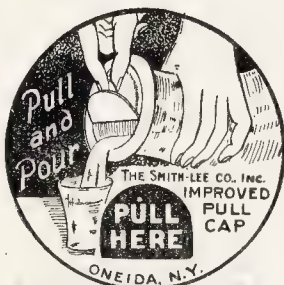
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AN ORDINANCE REGULATING THE SALE AND DISTRIBUTION OF MILK AND MILK PRODUCTS IN THE CITY OF NEWARK, ADOPTED DECEMBER 2, 1913, AND AMENDED AUGUST 4, 1914.

Be it Ordained by the Department of Health of the City of Newark as follows:

Section 1. It shall be unlawful for any person, firm or corporation to produce, sell, have in possession with intent to sell, expose for sale or deliver within the City of Newark, milk or milk products except in accordance with the requirements of this ordinance.

Sec. 2. It shall be unlawful for any person, firm or corporation to sell or expose or offer for sale, in the City of Newark:

1. Milk to which water, thickener, preservative, coloring matter or other foreign substance has been added.

2. Milk from which any part of the cream has been removed.

3. Milk which has been standardized or adjusted by adding thereto, or abstracting therefrom cream or fat, or which has been made from milk powder or evaporated milk, except as hereinafter provided.

4. Milk which contains more than eighty-eight and one-half per cent. (88½%) of water or watery fluids; less than eleven and one-half per cent. (11½%) of milk solids; less than three per cent. (3%) of fat; or less than eight and one-half per cent. (8½%) of solids not fat.

5. Milk produced by diseased cows or cows which have been fed on unwholesome food or contaminated water or drawn from cows kept in an unhealthy or crowded condition.

6. Milk drawn from animals within fifteen days before, or five days after parturition.

7. Milk which has been produced, stored, handled or transferred in an improper, uncleanly or insanitary manner.

8. Milk containing visible dirt, as shown by the following test:

When one pint of milk is filtered through a disc of absorbent cotton one inch in diameter, no clearly perceptible amount of dirt or foreign substance shall be visible on the cotton to the unaided eye.

9. Milk the temperature of which is higher than 50 degrees Fahr.

10. Milk which contains a number of bacteria in excess of that allowed in the different grades of milk hereinafter described.

11. Cream which is adulterated. The term "Cream" as used in this ordinance shall be taken to mean that portion of milk, rich in milk fat, which on standing, rises to the surface of milk, or is separated from milk by centrifugal force. All homogenized or other special cream shall be marked or labeled as hereinafter required. The term "adulterated" as used in this clause, shall be taken to mean cream to which condensed milk, thickener, preservative or other foreign substance has been added, or contains less than sixteen per cent. (16%) of butter fat, or which contains an excessive number of bacteria.

12. Condensed Milk the fat of which is less than twenty-five per cent (25%) of the total solids or to which any foreign substance, except sugar, has been added, as in preserved milk.

13. Skim Milk which contains less than eight and three-quarters per cent. (8.75%) of milk solids, or to which water, or other foreign substance has been added.

Sec. 3. Exceptions.

Nothing in this ordinance shall be construed to prohibit the sale of adjusted milk, standardized milk, skimmed milk, buttermilk, modified milk for infant feeding, homogenized milk or cream or other special milk, provided, that in all such cases the character of the product shall be fully, legibly and conspicuously stated on a suitable tag or label, approved by the Department of Health, and attached to the receptacle in which milk shall be contained in such a way that it may be easily read.

Sec. 4. Licenses.

1. Every person, firm or corporation that shall sell or offer or expose for sale, engaged in the business of bottling or otherwise handling milk or milk products in the City of Newark, shall make application in writing to the Department of Health of the City of Newark for a license for that purpose; said application shall contain, when required by said Department, a true and complete statement of the localities from which all milk handled by the applicant is produced, a complete list of the persons from whom said milk is purchased or obtained, and a complete list of the sources from which the water "for washing and cooling purposes" is obtained; and if at any time the place at which said milk is produced or the persons from whom the same is purchased or the sources from which such water is obtained be changed, the said Department of Health shall be immediately notified of such change. At any time within three days after the receipt of a request therefor, any person, persons, firm or corporation engaged in the sale or distribution of milk, in the City of Newark, shall furnish, when requested by the Department of Health, with a complete list of all persons to whom the milk is sold or distributed.

2. Upon the granting of every such license, said Department of Health shall furnish to the licensee two signs for each vehicle or conveyance used by said licensee for the sale and distribution thereof. Such signs shall be conspicuously placed, one on each side of such vehicle or conveyance, and shall not be removed therefrom until the expiration or revocation of said license. The license issued for the sale of milk in a store or other building, or for bottling plant, depot or station shall be conspicuously displayed in such store, bottling plant, depot or station. Such licenses shall not be sold, assigned or transferred. Every license issued by the Department of Health for the sale or distribution or bottling of milk shall be issued in the name of the owner of the vehicle, store, bottling plant, depot or station in which milk shall be sold or handled.

3. Every person, firm or corporation obtaining a license for the sale or distribution of milk, in the City of Newark, shall pay to the Department of Health a fee of Two Dollars (\$2.00) for each store, wagon, vehicle, station or bottling plant. A license shall entitle the holder thereof to sell only the particular grade of milk for which it is issued. Should the licensee desire to sell other grades of milk he must obtain a separate permit for each additional grade and pay an additional fee of 50c each therefor. Only one such additional fee of 50c shall be charged for each additional grade, regardless of the number of wagons, stores, vehicles, stations or bottling plants.

4. All licenses shall be renewed on or before the first day of September next after the issuing thereof.

5. No license shall be granted until after a satisfactory inspection has been made. The Department of Health may, however, refuse to issue permits to sell any particular grade of milk unless it is satisfied that the licensee is able to comply with the rules and regulations under which such particular grade of milk must be sold.

6. Each license shall be granted on the condition that it is subject to suspension or revocation for violation of any of the provisions of this ordinance or of any regulation thereunder.

7. All premises whereon milk is produced or handled for sale or distribution in the City of Newark shall be open to the Department of Health, its chemists, bacteriologists or inspectors, for inspection at all times, and owners of cows from which such milk is produced shall permit a veterinarian employed by said Department to examine such cows at any time.

8. It shall be unlawful for any person, firm or corporation to sell, expose for sale, distribute

GRADE A

GRADE B

POMPTON PLAINS CERTIFIED MILK

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BLOOMFIELD, N. J.

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or to have in possession with intent to sell or distribute in the City of Newark, milk which has been produced upon premises whereon any person shall be ill with communicable disease; and notice shall immediately be given said Department of Health of the existence of any such disease upon such premises; milk produced upon the premises of any person failing to give such notice shall not be sold or delivered in the City of Newark until special permission therefor has been obtained from said Department of Health.

9. Nothing contained in this ordinance shall be construed to require a license for the sale of condensed (preserved) milk in hermetically sealed cans, or the sale of milk by the glass to be consumed on the premises.

Sec. 5. Gradation of Milk.

1. All milk sold or distributed in the City of Newark shall be classified in one or more of the following grades, to-wit:

- Certified
- Grade A Raw
- Grade A Pasteurized
- Grade B Pasteurized
- Grade C

2. Certified. No milk shall be sold or distributed in the City of Newark as "Certified Milk" unless the same shall conform to the requirements of an act of the Legislature of the State of New Jersey, entitled "An Act providing for the incorporation of medical milk commissions and the certification of milk produced under their supervision," approved April 21, 1909. Certified milk shall be delivered to the consumer within thirty hours after the time it is drawn and must contain at least three and one-half per cent. (3.5%) of butter fat. The bottle caps for certified milk shall be white and printed with black letters.

3. Dairy Score Card. The dairy score card used in rating the dairies furnishing the different grades of milk described in the ordinance is known as the U. S. Government Score Card and is as follows:

EQUIPMENT.		SCORE.	
Cows.		Perfect	Allowed.
Health			
Apparently in good health	1		
If tested with tuberculin within a year and no tuberculosis is found, or if tested within six months and all reacting animals removed	5		
(If tested within a year and reacting animals are found and removed, 3)			
Food (clean and wholesome)	1		
Water (clean and fresh)	1		
Stables.			
Location of stables			
Well drained	1		
Free from contaminating surroundings	1	2	
Construction of stable	2		
Tight, sound floor and proper gutter	1	4	
Smooth, tight walls and ceiling	1		
Proper, stall, tie, and manger	1		
Provisions for light; Four sq. ft. of glass per cow			
(Three sq. ft., 3; 2 sq. ft., 2; 1 sq. ft., 1. Deduct for uneven distribution)	4		
Bedding	1		
Ventilation			
Provision for fresh air, controllable flue system	3		
(Windows hinged at bottom, 1.5; sliding windows, 1; other openings, 0.5)			
Cubic feet of space per cow	7		
(500 ft., 3; less than 500 ft., 2; less than 400 ft., 1; less than 300 ft., 0.)			
Provision for controlling temperature	1		
Utensils.			
Construction and condition of utensils	1		
Water for cleaning			
(Clean, convenient and abundant)	1		
Small-top milking pail	5		
Milk cooler	1		
Clean milking suits	1		

Milk Room or Milk House.

Location: Free from contaminating surroundings	1	
Construction of milk room		
Floor, walls, and ceiling	1	
Light, ventilation, screens	1	2
Separate rooms for washing utensils and handling milk	1	
Facilities for steam	1	
(Hot water, 0.5.)		

Total 40
METHODS. SCORE.

Cows.		Perfect	Allowed.
Clean			8
(Free from visible dirt, 6.)			
Stables.			

Cleanliness of stables		
Floor	2	
Walls	1	
Ceilings and ledges	1	6
Mangers and partitions	1	
Windows	1	
Stable air at milking time		
Freedom from dust	3	5
Freedom from odors	2	
Cleanliness of bedding		1
Barnyard		
Clean	1	2
Well drained	1	
Removal of manure daily to 50 feet from stable	2	

Milk Room or Milk House.

Cleanliness of milk room		3
Utensils and Milking.		
Care and cleanliness of utensils		
Thoroughly washed	2	
Sterilized in steam for 15 minutes	3	8
(Placed over steam jet, or scalded with boiling water, 2.)		
Protected from contamination	3	
Cleanliness of milking		
Clean, dry hands	3	
Udders washed and wiped	6	
(Udders cleaned with moist cloth, 4; cleaned with dry cloth or brush at least 15 minutes before milking, 1.)		9

Handling the Milk.		
Cleanliness of attendants in milk room		2
Milk removed immediately from stable without pouring from pail		2
Cooled immediately after milking each cow		2
Cooled below 50 degrees F		5
(51 degrees to 55 degrees, 4; 56 degrees to 60 degrees, 2)		
Stored below 50 degrees F		3
(51 degrees to 55 degrees, 2; 56 degrees to 60 degrees, 1)		
Transportation below 50 degrees F		2
(51 degrees to 55 degrees, 1.5; 56 degrees to 60 degrees, 1)		
(If delivered twice a day, allow perfect score for storage and transportation.)		

Total 60
Equipment . . . plus Methods . . . equals
. . . Final Score.

Note 1.—If any exceptionally filthy condition is found, particularly dirty utensils, the score may be further limited.

Note 2.—If the water is exposed to dangerous contamination, or there is evidence of the presence of a dangerous disease in animals or attendants, the score shall be 0.

4. Grade A Raw. Grade A Raw Milk is hereby defined to be milk produced at dairies scoring not less than sixty-five per cent. (65%) on the said dairy score card, and shall be handled in accordance with the following regulations:

a. All cows producing Grade A Raw milk shall be annually, or more frequently if necessary, tested with tuberculin in a manner approved by the said Department of Health. Each cow shall then be tagged with a number and a full record of the test kept on file and open for inspection by the health authorities. A copy shall also be filed with the Department of Health before any license shall be granted or renewed. All reacting animals shall

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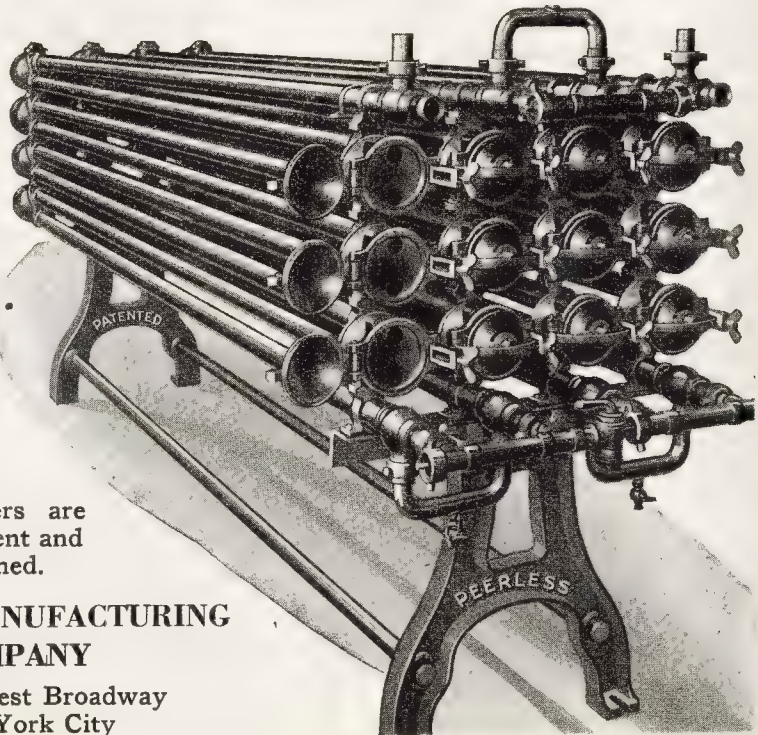
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Internal Tube Milk Cooler or Heater, with Hinged Return Cap. This New Peerless Feature Eliminates Removing Parts for Cleaning. Tube Sizes $2\frac{1}{4}$ " Outside, $1\frac{1}{2}$ " Inside. A New Peerless Advancement is Our New Style Heater or Cooler. In All Small Dairy and Farm Sizes. $1\frac{1}{2}$ " Outside, 1" Inside Tubes.

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be excluded from the herd at once and removed from the premises within three days. Only such cows shall be admitted to the herd as have not reacted to a diagnostic injection of tuberculin.

b. The cows yielding Grade A milk must be clean and free from disease. Long hair must be clipped from the flanks, udder, and from the tail sufficiently to clear the ground. The cows shall not be fed on slops, distillery or brewery refuse, glucose, or grains in a state of fermentation, putrefaction or decomposition, or any other putrefying or unwholesome foodstuffs.

c. The milking must be done by persons in a cleanly condition, or by mechanical milkers of a pattern approved by the Department of Health, operated by persons as above specified. When open milk pails are used they shall have an opening at the top not more than seven inches in diameter.

d. All utensils used in the production and handling of Grade A Raw milk shall be properly cleaned and sterilized each time before using and shall be so constructed that all parts are absolutely free from places where milk can accumulate or soak in so that it can not be removed by washing, and the surface coming in contact with the milk or cream must be smooth and free from rust.

e. Grade A Raw milk exposed or offered for sale to the consumer shall be contained in tightly closed and capped bottles, or receptacles of a similar character, such as shall have been approved by the Department of Health.

f. The milk from each cow shall be removed from the stable immediately after it is obtained, and shall be cooled at once to fifty degrees Fahrenheit (50 degrees F) or lower. It shall then be kept at a temperature of fifty degrees (50 degrees) Fahrenheit or lower until delivered to the consumer.

g. The caps of all bottles or containers of similar character containing milk of this grade shall be white and have plainly marked thereon in black letters "Grade A Raw," together with the day of the week upon which the milk was enclosed in said container. There shall be no other lettering or printing excepting the name of the dairy or proprietor unless specially approved by the Department of Health.

h. Grade A Raw milk shall contain not more than 500,000 bacteria per c. c. for a period of one year after the adoption of this ordinance, and not more than 100,000 bacteria per c. c. thereafter.

5. Grade A Pasteurized. Grade A Pasteurized as hereby defined to be milk produced under the same regulations and requirements as Grade A Raw, with the following exceptions:

a. All cows must have a physical examination approved by the Department of Health but need not be tuberculin tested.

b. This grade shall be pasteurized in the same manner and under the same restrictions as Grade B Milk.

c. Grade A Pasteurized milk shall not contain more than two hundred thousand (200,000) bacteria per c. c. before pasteurization nor more than thirty thousand (30,000) bacteria per c. c. at any time afterward and before delivery to the consumer, which must be within thirty-six (36) hours after pasteurization.

d. This milk shall only be sold in the same kind of receptacles as Grade A Raw and the caps shall be white and have plainly marked thereon in black letters, "Grade A Pasteurized," and the day of the week and hours between which pasteurization was accomplished, the place where pasteurized and the name of the person, firm or corporation performing the pasteurization. There shall be no other lettering or printing unless specially approved by the Department of Health.

6. Grade B Pasteurized. Grade B pasteurized milk is hereby defined to be milk which has been heated to a temperature of one hundred and forty-five degrees Fahrenheit for a period of thirty minutes.

a. Such milk shall be produced at dairies scoring not less than forty per cent. (40%) on the said dairy score card.

b. Milk and handling of Grade B pasteurized milk must be done in a cleanly and sanitary manner and in compliance with the regulations of the Department of Health.

c. The tags, labels or caps of all containers in which Grade B milk is sold or delivered shall be plainly labeled "Grade B Pasteurized." They shall be white and printed conspicuously and legibly in green letters. All such tags, labels and caps shall bear the day of the week and hours between which pasteurizing was accomplished, the place where pasteurized and the name of the person, firm or corporation performing the pasteurization. There shall be no other lettering or printing unless specially approved by the Department of Health.

d. Grade B Pasteurized milk must be delivered to the consumer within thirty-six hours after pasteurization.

e. Grade B Pasteurized milk shall not contain more than one million (1,000,000) bacteria per c. c. before pasteurization, nor more than fifty thousand (50,000) bacteria per c. c. at any time between pasteurization and delivery to the consumer. No milk shall be pasteurized more than once.

f. Milk after pasteurization must be cooled to below fifty (50 degrees) degree Fahrenheit and immediately placed in clean and sterilized containers and such containers at once closed. Pasteurization must be performed in apparatus approved by the Department of Health, and in such manner that the temperature, time of exposure and the quantity of milk exposed at one time can be readily kept under control and observation.

g. Nothing herein contained shall be construed to prohibit pasteurization of milk of any grade or in final containers.

7. Grade C. a. Grade C milk, that which is used for cooking and industrial purposes, is hereby defined to be milk containing more than one million bacteria per cubic centimeter or milk which does not conform to the requirements hereinbefore enumerated for the higher grades of milk, or milk produced from dairies scoring less than forty per cent. (40%) on the said dairy score card. Grade C milk shall conform to the following requirements:

b. All Grade C milk before being sold or delivered shall be boiled or heated to a temperature of at least two hundred degrees (200 degrees) Fahrenheit for two minutes and then immediately cooled to fifty degrees Fahrenheit or below.

c. All Grade C milk shall be sold in cans having sealed around the necks thereof, a metal band or collar, painted red and in which is plainly stamped or stenciled in letters at least one and one-half inches high, the words "Grade C."

8. Note. Each person, firm or corporation handling milk of different grades in the City of Newark shall give satisfactory proof to the Department of Health of their ability to keep the various grades of milk separate, and shall keep records satisfactory to said Department of Health as to the amount of each grade of milk handled daily.

Sec. 6. Buttermilk. The sale of buttermilk shall not be included in the terms of Section 5 of this ordinance; buttermilk shall be produced from pure and wholesome milk and in a manner approved by the Department of Health.

Sec. 7. Bottling Plants and Receiving Stations. 1. All places where milk is bottled and places used for the receiving and distribution of milk shall be clean, well lighted and shall be used for no other purpose than the handling of milk.

2. Such places shall have smooth floors, impervious to moisture and properly graded and drained; they shall be equipped with hot and cold water and steam under pressure; provision shall be therein made for steam sterilization of utensils, and all milk containers used therein shall be properly sterilized before use.

3. Containers and utensils shall not be washed in the same room in which milk is handled.

4. Bottled milk shall not be sold or delivered in the City of Newark unless it has been bottled in accordance with the rules and regulations of the Department of Health, nor shall milk or cream be bottled in any place which scores less than seventy per cent. on the bottling plant score card.

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adopted by the Department of Health, of which the following is a copy:

EQUIPMENT.	SCORE.	
	Perfect	Allowed.
BUILDING		
Location: Free from contaminating surroundings	2	
ARRANGEMENT	6	
Separate receiving room	1	
" handling room	2	
" wash room	1	
" sales room	1	
" boiler room	1	
CONSTRUCTION	7	
Floor tight, sound and cleanable	1	
Walls tight, smooth and cleanable	1	
Ceiling tight, smooth and cleanable	1	
Provisions for light	1	
Provisions for pure air	1	
Screens	2	
APPARATUS	22	
Steam boiler	6	
Milk cooler	2	
Refrigerator	2	
Appliances for cleaning utensils and bottles	3	
Racks, etc., for utensils and bottles after cleaning	1	
Cooling tank for bulk milk	2	
Bottling machine	2	
Capping machine	2	
Wash bowl, soap and towel for attendants	2	
WATER SUPPLY	3	
Clean, fresh, convenient and abundant	3	
Total	40	

METHODS.	SCORE.	
	Perfect	Allowed.
BUILDINGS		17
Cleanliness of		
Floors	3	
Walls	1	
Ceilings	2	
Doors and windows	1	
Freedom from odors	2	
Freedom from flies and other insects	3	
Drainage, properly plumbed and connected to sewer (3) or connected to cesspool or 100 feet from milking room (2)	3	
Freedom from rubbish	2	
APPARATUS	26	
Cleanliness:		
Sterilized in live steam under pressure thirty minutes	16	
Or.		
(Sterilized in boiling water over 200 degrees F, 10)		
Bottles and utensils thoroughly washed, brushed and rinsed	5	
Bottle caps sterilized	3	
Protected from dirt	2	
HANDLING MILK	15	
Received below 50 degrees F (50-55 degrees) 3; (55-60 degrees) 1	5	
Rapidity of handling in plant	2	
Freedom from undue exposure to air in plant	2	
Capping bottles by machine	1	
Bottle top and cap protected by covering	2	
Storage at 45 degrees F or below (3) and between 45 degrees F and 50 degrees F (2)	3	
MISCELLANEOUS	2	
Cleanliness of attendants	2	
General appearance hands, etc. (1) and clean washable clothing (1)		
Total	60	
Equipment plus Method equals		
. Final Score.		Inspector.

Sec. 8. Utensils and Apparatus.

1. All utensils and apparatus with which milk comes in contact shall be thoroughly washed with pure water and sterilized, and kept in a clean, sanitary, condition and no such utensils or apparatus shall be used for any other purpose than the handling of milk.

2. The name of the owner, the license number and such other identification marks as may be required by the Department of Health, shall appear in a conspicuous place on every receptacle used for the sale and distribution of milk, and where bottles are used, may be either blown in the glass or printed on the cap.

3. No milk receptacle shall be removed from premises upon which there is or has been a case of communicable disease, without permission in writing therefor first had and obtained from the Department of Health.

4. All metal containers and piping shall be in good, sanitary condition at all times. All piping shall be sanitary milk piping in couples short enough to be taken apart and cleansed with a brush.

5. Where open milking pails are used, the opening at the top of such pails shall not exceed seven inches in diameter.

Sec. 9. Cow Stables.

1. Stables in which cows shall be kept shall be used for no other purpose and shall be light, properly ventilated and cleaned.

2. All such stables shall comply with the aforementioned dairy score card, according to the requirements for the several grades of milk specified in this ordinance.

Sec. 10. Cows.

1. A physical examination of all cows shall be made at least once every twelve months by a veterinarian approved by the Department of Health, and a copy of the result of such examination shall be filed with the Department of Health on blanks furnished by said Department before any license shall be granted.

2. Every diseased cow shall be removed from the herd at once and no milk from such cows shall be offered for sale.

3. No new cattle shall be added to a tuberculin tested herd until they have passed the physical examination and the tuberculin test.

4. Cows, especially the udders, shall be clean at the time of milking.

Sec. 10-A. Bottled Milk.

"After June 1, 1916, no milk except bottled milk shall be sold from stores, dairies, restaurants, hotels, lunch counters, soda fountains, ice cream stores or other places where food is prepared and sold, whether to be consumed on or off the premises."

Sec. 11. Penalties.

Every person, firm or corporation convicted of violating this ordinance or any part thereof shall, for the first offense, forfeit and pay a penalty of not less than five dollars nor more than fifty dollars; and for each subsequent offense not less than ten dollars nor more than one hundred dollars, in the discretion of the court imposing the same.

Sec. 12. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Sec. 13. This ordinance shall take effect immediately.

IMPORTANT AMENDMENT.

No Raw Milk Except Certified After September 1, 1928.

On August 14, 1928, an amendment was passed by the Board of Commissioners of the City of Newark which reads as follows:

Section 10-B.

1. On and after September 1, 1928, no raw milk except certified raw milk shall be sold or offered for sale in the City of Newark. All requirements pertaining to dairies and cows required for the production of raw milk shall, after said September 1, 1928, apply to pasteurized milk.

on probation with the county probation officer for such time and upon such conditions as the court may determine. (P. L. 1911, Revision of the poor law, Sections 26-32.)

All orders for support under this act continue in force until revoked by the county court. Subsequent complaints may be made after such revocation. Husbands and wives may be witnesses against each other. (P. L. 1911, Sec. 32, P. 403.)

Desertion Under the Disorderly Persons Act.

Overseers of the poor make complaint under oath before any magistrate of the county where said disorderly person resides, or place of his or her legal settlement, or place where the wife or children reside. The complaint shall recite that the overseer believes that such person does desert or wilfully refuses or neglects to provide for and maintain his family, and that by reason thereof such family may become chargeable to the municipality. Any overseer may bring complaint where the deserter is, or where he has legal settlement or where the family may be. (P. L. 1911, P. 117.)

The magistrate must determine from the facts that the person is a disorderly person under the law above stated and fix the penalty. The same procedure follows pending final hearing, as in the poor law, which requires temporary bond. (Comp. Stat., P. 1932.)

The overseer is entitled under this law to a fee of one dollar. (Comp. Stat., P. 1933.)

The court may make an order for support in lieu of exacting the penalty under the disorderly persons act. Orders for support are in force for one year, and a bond is required to the overseer to insure payment of the weekly sum ordered by the court, but if the preliminary bond is given, that shall bind during the continuance of the year. In cases of appeal a new bond shall be given.

Proceedings when deserted are in Almshouse. The officer of the poorhouse may institute procedure. (Comp. Stat., P. 1934.)

Deserters to be put at hard labor if committed. (Comp. Stat., P. 1935.)

Desertion Under the Crimes Act.

Any husband or father who deserts and wilfully refuses or neglects to provide for and maintain his wife or minor child or children, shall be guilty of a misdemeanor and be punished by a fine not exceeding one hundred dollars or imprisonment with or without hard labor, as the court may direct, for any term not exceeding one year. (Comp. Stat., P. 1770, Sec. 73a.) This is a procedure before a grand jury.

The mother of any minor child or children dependent upon her for necessary care or support who wilfully deserts or abandons such child or children shall be guilty of a misdemeanor. (P. L. 1916, P. 83.) This is also a grand jury procedure, and the court fixes a penalty for misdemeanor.

Disorderly Persons Act.

This act is now the "Revision of 1898," with numerous subsequent amendments. (Comp. Stat., 1926-39.) It has to do with petty offenses and offenders and jurisdiction in all causes under this act is before any municipal magistrate or justice of the peace.

Disorderly persons are those offending against society in certain specified ways and who are thereby in the terms of law upon conviction to be declared by the court "disorderly persons." Where minors are the offenders, the proceedings are before the courts for the trial of juvenile offenders. In the enumeration of disorderly persons is included paupers who return after being removed, tramps and beggars, those "who leave or threaten to leave their families," idle and dissolute and improvident, loiterers, those who jump on and off cars, or throw sticks or stones at cars, etc., etc.

CHILD LABOR.

The Factory Act.

The Factory Act was passed in 1904 (Comp. Stat., P. 3023) and was subsequently amended. The title of the Factory Act as amended reads as follows: "An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and in mines and quarries, and to establish a department for the enforcement thereof." (P. L. 1914, P. 488.)

Children Under Fourteen Years. Prohibited.

Section one of the factory act as amended in 1914, P. 523) reads:

"No child under the age of fourteen years shall be employed, allowed or permitted to work in any factory, workshop, mill or place where the manufacture of goods of any kind is carried on. The officers or agents of any corporation, the members of any firm, or any person, or any parent, parents or custodian of any child who shall violate any of the provisions of this section, shall be deemed and adjudged to be a disorderly person or persons, and upon conviction thereof shall be fined fifty dollars, or imprisonment in jail for not more than ninety days, or both; provided, however, that any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm, or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars or shall be committed to jail, not to exceed three years, or both."

Age and Schooling Certificates.

Before employing minors between 14 and 16 years of age, an age and schooling certificate must be produced, and the penalty to employers for violations of this provision is a maximum fine of \$25, or jail for sixty days, or both. (P. L. 1914, Sec. 3, P. 524.)

Prohibited Work.

Minors under sixteen are prohibited from work as follows:

"Adjusting any belt to any machinery sewing or lacing machine belts in any workshop or factory; oiling, wiping or cleaning machinery or assisting therein; operating or assisting in operating any of the following machines: circular or band saws; wood choppers, wood jointers; planers; sandpaper or wood polishing machinery; wood-turning or boring machinery; picker machines or machines used in picking wool, cotton, hair, fur or any other material; carding machines; paper lace machines; job or cylinder printing presses operated by power other than foot power; boring or drill presses; stamping machines used in sheet metal and tinware or in paper and leather manufacturing, or in washer and nut factories; metal or paper cutting machines; corner staying machines in paper box factories; corrugating rolls, such as are used in corrugated paper roofing or wash board factories; steam boilers, dough brakes or cracker machinery of any description; wire or iron straightening or drawing machinery; rolling mill machinery; power punchers or shears; washing, grinding or mixing machinery; collender rolls and mixing rolls in paper and rubber manufacturing; laundering machinery; or in proximity to any hazardous or unguarded belting, machinery or gearing, which, in the judgment of the Commissioner of Labor is a menace to the safety of such minors. No minor under the age of sixteen years shall be employed, permitted or suffered to work in any capacity in, about, or in connection with any processes in which dangerous or poisonous acids are used; or in the manufacture or packing of paints, colors, white or red lead; or in any process in which lead or its compounds are employed; or in soldering; or in occupations causing mineral, animal or vegetable dust in injurious quantities, including flint, clay, metal and talc dust; tobacco, rubber and cotton dust; silk, fur, wool and leather dust; or in the manufacture or use of dangerous or poisonous dyes; or in the manufacture or preparation of compositions with dangerous or poisonous gases or fumes; or in the manufacture or use of compositions of dye in which the quantity thereof is injurious to health; or in any trade, process which shall offer such exposure to excessive heat, cold, muscular exertion or other physical risk as shall, in the judgment of the Commissioner of Labor, be harmful to the health and future working efficiency of such minor." (P. L. 1914, P. 525.)

Penalties.

Employers and parents violating this section in any particular may be adjudged a disorderly person or persons, and the maximum penalty is fifty dollars or ninety days in jail, or both, and repeated



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adopted by the Department of Health, of which the following is a copy:

EQUIPMENT.		SCORE.	
		Perfect	Allowed.
BUILDING			
Location: Free from contaminating surroundings		2	
ARRANGEMENT		6	
Separate receiving room	1		
" handling room	2		
" wash room	1		
" sales room	1		
" boiler room	1		
CONSTRUCTION		7	
Floor tight, sound and cleanable	1		
Walls tight, smooth and cleanable	1		
Ceiling tight, smooth and cleanable	1		
Provisions for light	1		
Provisions for pure air	1		
Screens	2		
APPARATUS		22	
Steam boiler	6		
Milk cooler	2		
Refrigerator	2		
Appliances for cleaning utensils and bottles	3		
Racks, etc., for utensils and bottles after cleaning	1		
Cooling tank for bulk milk	2		
Bottling machine	2		
Capping machine	2		
Wash bowl, soap and towel for attendants	2		
WATER SUPPLY		3	
Clean, fresh, convenient and abundant	3		
Total		40	

METHODS.		SCORE.	
		Perfect	Allowed.
BUILDINGS			17
Cleanliness of			
Floors	3		
Walls	1		
Ceilings	2		
Doors and windows	1		
Freedom from odors	2		
Freedom from flies and other insects	3		
Drainage, properly plumbed and connected to sewer (3) or connected to cesspool or 100 feet from milking room (2)	3		
Freedom from rubbish	2		
APPARATUS		26	
Cleanliness:			
Sterilized in live steam under pressure thirty minutes	16		
Or.			
(Sterilized in boiling water over 200 degrees F, 10)			
Bottles and utensils thoroughly washed, brushed and rinsed	5		
Bottle caps sterilized	3		
Protected from dirt	2		
HANDLING MILK		15	
Received below 50 degrees F (50-55 degrees) 3; (55-60 degrees) 1	5		
Rapidity of handling in plant	2		
Freedom from undue exposure to air in plant	1		
Capping bottles by machine	1		
Bottle top and cap protected by covering	2		
Storage at 45 degrees F or below (3) and between 45 degrees F and 50 degrees F (2)	3		
MISCELLANEOUS		2	
Cleanliness of attendants	2		
General appearance hands, etc. (1) and clean washable clothing (1)			
Total		60	
Equipment plus Method equals			
. Final Score.			
			Inspector.

Sec. 8. Utensils and Apparatus.

1. All utensils and apparatus with which milk comes in contact shall be thoroughly washed with pure water and sterilized, and kept in a clean, sanitary, condition and no such utensils or apparatus shall be used for any other purpose than the handling of milk.

2. The name of the owner, the license number and such other identification marks as may be required by the Department of Health, shall appear in a conspicuous place on every receptacle used for the sale and distribution of milk, and where bottles are used; may be either blown in the glass or printed on the cap.

3. No milk receptacle shall be removed from premises upon which there is or has been a case of communicable disease, without permission in writing therefor first had and obtained from the Department of Health.

4. All metal containers and piping shall be in good, sanitary condition at all times. All piping shall be sanitary milk piping in couples short enough to be taken apart and cleansed with a brush.

5. Where open milking pails are used, the opening at the top of such pails shall not exceed seven inches in diameter.

Sec. 9. Cow Stables.

1. Stables in which cows shall be kept shall be used for no other purpose and shall be light, properly ventilated and cleaned.

2. All such stables shall comply with the aforementioned dairy score card, according to the requirements for the several grades of milk specified in this ordinance.

Sec. 10. Cows.

1. A physical examination of all cows shall be made at least once every twelve months by a veterinarian approved by the Department of Health, and a copy of the result of such examination shall be filed with the Department of Health on blanks furnished by said Department before any license shall be granted.

2. Every diseased cow shall be removed from the herd at once and no milk from such cows shall be offered for sale.

3. No new cattle shall be added to a tuberculin tested herd until they have passed the physical examination and the tuberculin test.

4. Cows, especially the udders, shall be clean at the time of milking.

Sec. 10-A. Bottled Milk.

"After June 1, 1916, no milk except bottled milk shall be sold from stores, dairies, restaurants, hotels, lunch counters, soda fountains, ice cream stores or other places where food is prepared and sold whether to be consumed on or off the premises."

Sec. 11. Penalties.

Every person, firm or corporation convicted of violating this ordinance or any part thereof shall, for the first offense, forfeit and pay a penalty of not less than five dollars nor more than fifty dollars; and for each subsequent offense not less than ten dollars nor more than one hundred dollars, in the discretion of the court imposing the same.

Sec. 12. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Sec. 13. This ordinance shall take effect immediately.

IMPORTANT AMENDMENT.

No Raw Milk Except Certified After September 1, 1928.

On August 14, 1928, an amendment was passed by the Board of Commissioners of the City of Newark which reads as follows:

Section 10-B.

1. On and after September 1, 1928, no raw milk except certified raw milk shall be sold or offered for sale in the City of Newark. All requirements pertaining to dairies and cows required for the production of raw milk shall, after said September 1, 1928, apply to pasteurized milk.

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**SLAUGHTER HOUSE LICENSE ACT
AND REGULATIONS.
CHAPTER 295, LAWS OF 1910.**

An Act providing for the licensing, regulation, conduct and operation of slaughter-houses, abattoirs or places where animals are slaughtered for sale for human food in the State of New Jersey, and providing penalties for the violation of the provisions of said act.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. No person or persons shall operate or conduct any slaughter-house, abattoir, or place where animals are slaughtered for sale for human food unless a license has first been issued by the Board of Health of the State of New Jersey to the owner or owners, manager or operator of said slaughter-house, abattoir or place where animals are slaughtered for sale for human food, authorizing said person or persons to operate and conduct a slaughter-house, abattoir or place where animals are slaughtered for sale for human food, and no person shall conduct or operate, or continue to conduct or operate, any slaughter-house, abattoir or place where animals are slaughtered for sale for human food, after the revocation of any such license, and the said board is hereby empowered to cause inspections to be made of every building and premises in or upon which animals are slaughtered for human food, and to grant licenses for the operation of the same when, in the judgment of the board, the business conducted in said buildings or upon said premises is managed in a sanitary manner, and in accordance with the requirements of law.

2. Every license granted under the provisions of section one of this act shall be issued under such rules and regulations as the said board may establish, but no license shall be granted to conduct or operate a slaughter-house, abattoir or place where animals are slaughtered for sale for human food, unless, in the judgment of the said State Board of Health, the said building is so located and constructed that the business of slaughtering animals can be there conducted in a cleanly manner, and without creating a nuisance.

3. Every license issued under the provisions of this act may be revoked by the Board of Health of the State of New Jersey if the provisions of this act or of an act entitled "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof" (Revision of 1907), approved May twentieth, one thousand nine hundred and seven, and the amendments thereof and supplements thereto, or rules and regulations established by the said board under authority herein contained, shall be violated; and every person who shall conduct or operate a slaughter-house, abattoir or place where animals are slaughtered for sale for human food, in violation of the provisions of this act or of an act entitled "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof" (Revision of 1907), approved May twentieth, one thousand nine hundred and seven, and the amendments thereof and supplements thereto, or in violation of the rules and regulations herein provided for, or who shall operate or conduct any such establishment without holding a license as herein specified, or who shall conduct or operate, or shall continue to conduct or operate, a slaughter-house, abattoir or place where animals are slaughtered for sale for human food, after revocation by said board of the license to conduct or operate the same, and after notice in writing of said revocation has been served on said person, shall, upon conviction thereof, be subject to a penalty of two hundred dollars.

4. All penalties prescribed by the provisions of this act shall be recovered in an action of debt by and in the name of the Board of Health of the State of New Jersey as plaintiff. The pleadings shall conform in all respects to the practice prevailing in the court in which any such action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same

contain a statement of the nature of the alleged violation and of the section of the act alleged to have been violated.

5. When judgment shall be rendered against any defendant other than a body corporate execution shall be issued against his goods and chattels and body without any order of the court first had and obtained. If the officer executing any such writ shall be unable to find sufficient goods and chattels of said defendant in his bailiwick to make the amount of said judgment, he shall take the body of the said defendant and deliver him to the keep of the common jail of said county, there to be detained until discharged by the court in which said judgment was obtained, or by one of the justices of the Supreme Court when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs. In case judgment shall be rendered against a body corporate execution shall be issued against such body corporate as in other actions of debt. All penalties collected under this act shall be paid into the treasury of the State of New Jersey.

6. Whenever any person shall violate any of the provisions of this act it shall be lawful for the State Board of Health, either before or after the institution of proceedings for the collection of the penalty imposed by this act for such violation, to file a bill in the Court of Chancery in the name of the State at the relation of such board for an injunction to restrain such violation, and for such other or further relief in the premises as the Court of Chancery shall deem proper, but the filing of such bill, or any of the proceedings thereon, shall not relieve any party to such proceedings from the penalty or penalties prescribed by this act for such violation.

7. This act shall take effect immediately.

Approved April 12, 1910.

**REGULATIONS GOVERNING THE CONDUCT
AND OPERATION OF SLAUGHTER-
HOUSES.**

Adopted at a regular meeting of the Board of Health of the State of New Jersey, held July 28, 1914, under authority contained in an act entitled "An act providing for the licensing, regulation, conduct and operation of slaughter-houses, abattoirs or places where animals are slaughtered for sale for human food in the State of New Jersey, and providing penalties for violation of the provisions of said act," approved April 12, 1910.

1. Every person who operates or conducts or desires to operate or conduct a place where animals are slaughtered for sale for human food shall make application to the Board of Health of the State of New Jersey for a license to operate a slaughter-house, abattoir or place where animals are slaughtered for sale for human food. Such application shall be in writing, upon blanks which will be furnished by the State Board of Health upon request, and shall be signed by the person making the application.

Upon receipt of an application for a license to conduct a slaughter-house together with such other information as may be required by these rules, an inspection will be made of the premises designated in the application. If it appears as a result of this inspection that the building and surroundings are so located and constructed that the business of slaughtering and dressing animals can and will be there conducted in a cleanly manner and without creating a nuisance, and in compliance with the provisions of Chapter 217 of the laws of 1907 and its amendments and supplements, a license will be issued.

Should the inspection show that changes or improvements in the building or its surroundings are necessary before the above-mentioned act can be complied with, the applicant will be so notified, and a reasonable time will be given to him to make such changes or improvements. At the end of this time a reinspection will be made. If the reinspection shows that the required changes or improvements have been made, a license will be issued; if the building and surroundings at the time of the reinspection do not conform with the requirements of the above-mentioned act and the following rules, the license will be refused.

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2. When a slaughter-house is to be erected, the approval of the site should be obtained from the local health authorities within whose jurisdiction the building will be located. Such approval when obtained should be submitted in writing to the State Board of Health when application for a license is made.

3. In the case of new buildings, plans and specifications should be submitted to the State Board of Health for approval when application for a license is made.

4. The person in whose name a license to operate a slaughter-house is issued will be held responsible for any violation of law or of the rules of the State Board of Health which may be discovered in that slaughter-house. If other persons than the licensee are permitted by him to slaughter animals in such slaughter-house, they will be regarded as operating under his supervision and he will be held responsible for their acts.

5. A slaughter-house license is not transferable. Should a person holding a slaughter-house license desire to erect a new building, operate in a different place, or sell his business to another, a new application for a license must be made.

6. Persons afflicted with tuberculosis or other communicable diseases shall not be employed in nor shall they be permitted to enter any part of a slaughter-house where animals are slaughtered, dressed, or where the meat of the same is stored or handled. The manager of every slaughter-house who has reason to believe that any employee is so affected, shall immediately report in writing the facts upon which such belief is based, together with the name and address of the person believed to be affected to the State Board of Health.

7. All slaughter-houses shall be well lighted and ventilated and shall be provided with an abundant supply of pure water. They shall also be provided with an adequate system of drainage. Whenever practicable, connections shall be made with a municipal or other sanitary sewer.

8. All slaughter-houses shall have tight floors made of cement or of tile laid in cement, brick, wood or other suitable material which can be flushed or washed clean with water.

9. The ceiling, walls, pillars, partitions, etc., shall be kept in a clean condition, and when necessary they shall be washed, scraped, painted or otherwise treated.

10. Where the floors or other parts of the building, or tables or parts of the equipment, are so old or are in such poor condition that they cannot be readily kept in a clean condition, they shall be removed and replaced.

11. All trucks, trays and other receptacles, all chutes, platforms, racks, tables, etc., and all knives, cleavers, saws and other tools and all utensils, machinery and vehicles used in moving, handling, cutting, chopping, mixing, canning or otherwise processing meats shall be thoroughly cleansed before using and be kept in a clean condition at all times.

12. Suitable receptacles shall be provided for blood, offal and similar materials and such materials shall be put into the offal tank, or when said tank is not available, removed from the premises as soon as possible, but under no circumstances shall they be permitted to accumulate for more than one day in the summer or two days in the winter. In no case shall they be permitted to accumulate in, under or around the slaughter-house.

13. The outer clothing worn by persons who handle meat or meat food products shall be of material that is readily cleansed and only clean garments shall be worn.

14. All water closets, toilet rooms and dressing rooms shall be entirely separated from compartments in which carcasses or parts thereof are cured, stored, packed, handled or prepared. Where such rooms open into compartments in which meat or meat food products are handled, they must, when this is considered necessary by the

State Board of Health, be provided with properly ventilated vestibules and with automatically closing doors. They shall be properly lighted, ventilated and kept in a clean condition.

15. The rooms or compartments in which meats or meat food products are prepared, cured, stored, packed or otherwise handled, in so far as the same is possible, shall be free from odors from toilet rooms, catch basins, casing departments, tank rooms, hide cellars, etc., and shall be kept free from flies and other vermin by screening or other methods.

16. Hides or pelts shall not be stored on the floor or any room used for slaughtering, storing or preparing meats or meat food products, but shall be stored in a room set aside for such purpose.

17. The yards, fences, pens, chutes, alleys, etc., belonging to the premises, whether they are used or not, shall be maintained in a clean condition. The feeding of hogs or other animals on slaughter-house refuse will not be permitted, unless said refuse has been previously sterilized, and no use, incompatible with proper sanitation, shall be made of any part of the premises.

18. Should an animal, before or after killing, be found to be affected with any contagious disease, it shall be immediately removed from the killing room and disposed of in a proper manner by tanking or otherwise, and all knives or other implements and all parts of the room which have come in contact with the animal, or with any part of it, or any of the discharges from it shall be at once disinfected with some suitable disinfectant.

19. Skins and hides from animals affected with any disease infectious to man must be disinfected, except in case of anthrax or charbon in which case the hide and all other parts of the carcass must be immediately incinerated. In this case the killing floor upon which the animal was slaughtered shall be disinfected with a ten per cent. solution of formalin and all implements which have come in contact with the carcass must be thoroughly disinfected before being used again.

20. Butchers who dress or handle diseased carcasses, or parts of the same, shall cleanse their hands of all grease and then immerse them in a disinfectant and rinse them in clear water before dressing or handling healthy carcasses.

21. Due care must be taken to prevent any contamination of meats by contact with a contaminated floor. Meats which have become contaminated must be disposed of in the same manner as prescribed for diseased carcasses, which must not be sold for food.

22. Carcasses or parts thereof shall not be inflated with air from the mouth and no inflation of carcasses, except by mechanical means, shall be allowed.

23. Carcasses shall not be dressed with skewers, knives, etc., that have been held in the mouth. Skewers which have been used must be cleansed before being used again. Spitting on whetstones or steels when sharpening knives shall not be allowed.

24. Only good, clean, wholesome water and ice shall be used in the preparation of carcasses, parts, meats or meat food products.

25. Animals or parts of animals unfit for food shall not be rendered in rooms where animals intended for use as food are killed, dressed, stored or handled, or in rooms directly communicating therewith, and no apparatus for the rendering of edible products shall be installed in rooms where animals intended for use as food are killed, dressed, stored or handled until permission has been obtained from the State Board of Health to install such apparatus.

Hides may be disinfected by immersing them for five minutes in a five per cent. solution of carbolic acid or a one to one thousand solution of bichloride of mercury.

26. Violation of the above rules or any of them may result in the revocation of the license of the slaughter-house in which the violation has been committed.

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**LAWS AND REGULATIONS GOVERNING
THE SALE OF NON-ALCOHOLIC BEV-
ERAGES AND BOTTLED WATER.
CHAPTER 122 OF THE LAWS OF 1924.**

A Supplement to an act entitled "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof (Revision of 1907)," approved May twentieth, one thousand nine hundred and seven. Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. No person now engaged or who may hereafter engage in the business of bottling water for drinking purposes or in the business of bottling any nonalcoholic drink within this State shall sell or deliver any such water or nonalcoholic drink until a license shall have been issued to such person by the Director of Health of New Jersey, authorizing him to engage in the business of bottling water for drinking purposes or to engage in the business of bottling any nonalcoholic drink.

2. The Director of Health is hereby authorized to issue licenses to persons engaged in the business of bottling water within this State for drinking purposes, or in the business of bottling any nonalcoholic drink; no license shall be issued for more than one year, and all licenses shall expire June thirtieth of each year. The Department of Health of the State of New Jersey shall make and the Director of Health shall enforce rules and regulations for the conduct of bottled water establishments and non alcoholic drink establishments, and no license shall be issued to any person to operate such establishments until the rules and regulations promulgated by the Department of Health of the State of New Jersey have been complied with.

3. Any person who shall violate any of the provisions of this act or any of the rules and regulations made by the Department of Health of the State of New Jersey under authority contained in this act shall be liable to a penalty of fifty dollars (\$50) to be recovered in the manner prescribed for the recovery of penalties in the act to which this is a supplement. The Director of Health may, after a hearing upon notice, revoke the license issued to any person to bottle water or any nonalcoholic drink if any of the rules and regulations made under authority contained in this act have been violated.

4. This act shall take effect immediately.

Approved March 11, 1924.

**RULES AND REGULATIONS TO GOVERN
THE SALE OF BOTTLED WATER.**

1. (a) No person, firm, or corporation shall operate or conduct an establishment for the bottling of water intended for sale or distribution for drinking purposes from a spring, well, or any other source of water within this state until he, or they, shall have secured from the Department of Health of the State of New Jersey a license to operate such an establishment for the bottling of water in accordance with the provisions of chapter 122 of the laws of 1924. Application for such license shall be made in writing and shall be signed by the person, firm, or corporation making the application.

(b) Upon receipt of an application to conduct an establishment for the bottling of water together with such information as may be required by these rules, the State Department of Health shall cause an inspection to be made of the premises and source of water supply designated in the application. If it appears as a result of this inspection that the source of such water is suitable for drinking purposes and said establishment

for the bottling of water is so operated and equipped that the business can be conducted in a cleanly manner and in compliance with the rules and regulations adopted by the State Department of Health and with the provisions of law, a license to conduct the business of bottling water on said premises will be issued. All licenses issued shall expire June thirtieth following the date of issue and must be renewed yearly.

(c) The person, firm or corporation in whose name a license to operate an establishment for bottling water is issued shall be responsible for any violation of law or of the rules of the State Department of Health relating to an establishment for bottling of water.

(d) A license to operate an establishment for bottling of water is not transferable.

2. (a) Every person engaged in the bottling of water shall provide a suitable bottling house, equipped with the necessary implements and machinery, and supplied with an abundance of hot water for washing purposes.

(b) All openings to the outside air shall be so screened as to exclude flies.

(c) No portion of the bottling house shall be used as a stable or dwelling.

3. (a) All water intended for sale and distribution as bottled water must be obtained from a source which is free from the possibility of pollution from materials or substances which may render it deleterious to health, or which may impart to it objectionable tastes, odors or turbidity.

(b) Water intended for sale and distribution as bottled water shall not contain more than two bacillus coli communis in one hundred (100) cubic centimeters and when sampled at the source shall not contain more than one hundred (100) bacteria per cubic centimeter at 37 degrees C.

4. No person affected with a disease which may be transmitted through water, or who is the carrier of the causative agent of such a disease, or who shall care for or come in contact with any person so affected shall in any way handle water, bottles, bottling or washing equipment or enter an establishment to be used in the bottling of water intended for drinking purposes.

5. Clean outer garments shall be worn by employees while engaged in bottling water and washing bottles.

6. Waste liquids and waste water shall be conducted to a point outside the building and disposed of in such a manner as will not create a nuisance.

7. Bottles or other receptacles used as containers for water shall be cleansed inside and outside by washing with a solution of at least two per cent. alkali at a temperature of not less than 125 degrees F., and then rinsed with warm water. Provided, however, other methods may be used which result in the same degree of cleanliness as that prescribed.

8. All bottles in which water is bottled shall be so capped as to protect the neck and stopper from contamination until water is used.

9. Bottles, after washing, shall be so stored as to protect them against contamination until filled.

10. No person shall smoke or excrete anywhere in any room in which water is bottled or handled.

11. All establishments for the bottling of water shall be provided with suitable sinks at which employees may wash their hands, and soap and towels shall be provided convenient to wash sinks. Employees must wash their hands before beginning work and after visiting the toilet.

12. Violations of any of the above rules renders the offender liable to a penalty and to the revocation of license.

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PLUMBING CODE

Sec. 975. The owner, lessor or agent of any building used in any way for occupation by human beings, whether for business or dwelling purposes, shall provide and maintain in good serviceable condition sufficient water-closet and urinal accommodations, proportioned to the number of occupants, and in the cases hereinafter mentioned, not less than the number herein specified, viz.: In all tenement houses where separate water-closets are not maintained for each family, and in all business places separate water-closets shall be provided for each sex, arranged so as to secure absolute privacy; in dwellings or places used as a permanent place of abode for persons at least one water-closet shall be provided and maintained for each seven persons; for lodging houses, hotels or other places used as a temporary place of abode, at least one water-closet for each ten persons for whom accommodation is provided; in addition, urinals shall be provided; in stores of every kind, including restaurants, excepting, however, saloons and places for the sale of intoxicating liquors, at least one water-closet for each twenty-five employees; in saloons and places for the sale of intoxicating liquors, at least one water-closet for each employee regularly engaged in serving liquor, and in addition urinals shall be provided; in no case shall there be less than one water-closet and one urinal.

Sec. 976. In every building in which liquor is sold, and persons lodge or work in a part thereof, the part occupied for the sale of liquor shall be provided with urinal and water-closet accommodations, as required in the provisions of this section, and such urinal and water-closet accommodations shall be so situated that the persons occupying that portion of the premises which is not for the sale of liquor shall be able to use such water-closet or urinal without passing through or going into such portion of the building wherein liquor is sold.

Any person, firm or corporation which shall violate any of the provisions of Sections 975 or 976 shall, upon conviction thereof, forfeit and pay a penalty of not less than ten dollars, nor more than twenty-five dollars, for the first offense, and of twenty-five dollars for each subsequent offense.

Sec. 977. It shall be the duty of the owner or contractor engaged in the construction or erection of any new building in the City of Newark to provide within such building a sufficient number of water-closets for the use of the persons employed in the work of erecting such building. Such water-closet or water-closets shall be placed in every such building at the commencement of the work of erecting the same, and shall be continued therein until the completion of the same. Every such water-closet shall be connected with the sewer in the street upon which such building shall be erected.

Sec. 978. Water-closets, when placed in any building under the provisions of Sec. 978, shall be kept and maintained at all times in a clean and sanitary condition.

Sec. 979. Any person, persons, firm or corporation, violating the provisions of this ordinance, shall, upon conviction thereof, forfeit and pay a penalty of not less than ten dollars nor more than twenty-five dollars for the first offense, and twenty-five dollars for each subsequent offense.

Registration.

Sec. 1005. It shall be unlawful for any person to engage in the plumbing business as master or employing plumber in the city of Newark, New Jersey, or to repair, install, erect, or add to a plumbing or drainage system or systems, unless such person shall furnish to the Board of Health of the city of Newark a certificate from the Board of Examiners of said board certifying such master plumber is qualified to engage in said business as a master or employing plumber, and shall have registered his name and business address in the office of the Board of Health, upon forms to be supplied by said board.

Any master or employing plumber as herein provided, shall receive from said Board of Health a certificate of registration upon payment of a

registration fee of \$25, and said registration shall be for the period of one calendar year or fractional part thereof, next ensuing the date of registration, and shall entitle any master or employing plumber therein named to engage in and carry on the business of plumbing in the city of Newark, N. J.

Any person holding a license issued by the Board of Street and Water Commissioners for the year 1916, 1917, and registered with the Board of Health, shall re-register as hereafter provided.

Re-registration.

After June thirtieth of each year, each certificate of registration shall be null and void. A registered master or employing plumber, desiring to continue in the business of plumbing and drainage for the ensuing year, shall between the fifteenth and thirtieth days of June of each and every year, surrender the said certificate of registration for the then current year to the Board of Health, and re-register his name and business address, for which re-registration he shall pay the sum of five dollars. Any master or employing plumber engaged in the plumbing business failing to re-register or be re-registered as herein required shall present to the Board of Health a certificate from the Board of Examiners as to his qualifications before he shall be re-registered.

In order to qualify a registered master or employing plumber to operate in the Department of Public Works, the certificate of registration of such plumber issued by the Board of Health must be previously registered in the Department of Public Works in compliance with the rules and requirements of said department.

Revocation of Certificates.

The certificate of registration granted under these rules and regulations may be suspended or revoked by the Board of Health upon it appearing that a master or employing plumber has violated any of the rules and regulations governing plumbers, or shall refuse or neglect to make the necessary corrections to work not approved by the Board of Health within five days after notification thereof, or who shall permit the use of his name by any other person or persons for the purpose of obtaining a permit or permits.

The suspension of any certificate of registration, whether by action of the Board of Health or the Department of Public Works, shall operate to suspend or revoke such certificate of registration, generally, until the original suspension or revocation ceases.

Place of Business.

Every registered master or employing plumber shall have a bona fide place of business in the city of Newark, N. J., and shall display on the front of his place of business a sign, "Registered Licensed Plumber," bearing the name of the person, in letters not less than two inches high, said sign to be furnished by the Board of Health.

Registered Master Plumbers Only to Engage in the Plumbing Business.

No person other than a registered master or employing plumber shall expose the sign of plumbing or drainage, or any advertising pertaining thereto, nor shall any person other than a registered master or employing plumber (or a person in his employ, or under his supervision) be allowed to alter, repair, add to or erect, or make any connections with drain, soil, waste or vent pipes or any pipes connected therewith.

Change of Address.

Every registered master or employing plumber shall give immediate notice to the Board of Health of any change in his place of business, and upon retirement from business shall surrender his certificate of registration to the Board of Health.

Certificate of Competency.

Any person applying for a certificate of registration shall provide satisfactory proof of his knowledge to the Board of Examiners of the plumbing regulations of the city of Newark, as well as such common laws of physics and hygiene as deal with the proper and safe methods of removing water and sewage from buildings. A candidate for a certificate of competency must dem-

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onstrate to said Board of Examiners in a practical manner, his ability to comprehend and interpret drawings and plans, showing the arrangements and connections of soil, waste and vent pipes and fixtures, and his skill in designing and constructing plumbing and drainage systems in buildings. Applicant must have a standing of at least 80 per cent. in his examination to be entitled to a certificate of competency.

Fee for Certificates.

The examination fee shall be \$5, which fee shall be paid to the Board of Health. Candidates failing to pass such examination and desiring another will be granted re-examination after the expiration of three months and upon payment of another fee of \$5.

Board of Examiners of Plumbers.

There is hereby created a Board of Examiners of Plumbers, to be appointed by the Board of Health of the city of Newark, consisting of one master or employing plumber, one journeyman plumber and one plumbing inspector, the last to be chairman, ex-officio. The first two above mentioned members shall be citizens of the United States and the state of New Jersey, and residents of the city of Newark for at least five years, and shall have actively engaged in the trade or business of plumbing for not less than ten years.

A majority of the said board shall be deemed competent for action on all matters coming within the province of said Examining Board. Said board shall meet at the call of the Board of Health, and not more than one day each month, for the examination of any application for license as master or employing plumber.

Term of Office and Compensation of Examining Board.

The members of the Board of Examiners of Plumbers shall hold office for the term of two years and until their successors are duly appointed and take office. With the exception of the plumbing inspector, they shall receive a salary of \$10 per day for each day they shall meet, said salary to be paid by the Board of Health.

Non-resident Plumbers.

Any person, firm or corporation engaged in the business of plumbing and drainage outside the city of Newark, New Jersey, and duly licensed by the municipality or a department thereof, wherein their chief office is located, who may desire to do any plumbing and drainage work in the city of Newark for any building to be erected, constructed or altered in said city, may enter upon such work provided said person, or a member of said firm, or head officer, superintendent, manager or foreman of said corporation, shall have registered and qualified as a master or employing plumber as hereinbefore provided. Upon such registration and qualification, and the filing and approval of plans and specifications as provided for by the ordinances, rules and regulations of the Board of Health of the city of Newark, a permit may be granted to such person, firm or corporation, to perform such plumbing and drainage work for any building to be erected, constructed or altered as such person, firm or corporation shall have contracted to perform or shall be about to contract for at the time of the registration and qualification. On the completion of such plumbing and drainage work, or the termination of such contract or contracts, the permit of such person for said work shall be null and void, provided, however, that a new permit for other plumbing and drainage work for any other building to be erected, constructed or altered in said city of Newark, may be issued without charge to such persons, firm or corporation, at any time previous to the thirtieth day of June next succeeding the date of the original registration and qualification of said person, firm or corporation. In case such drainage and plumbing work shall not be performed in accordance with the rules and regulations of the Board of Health, the said permit may be revoked or suspended by the said board or its duly authorized officers or agents.

Penalty.

Every person or corporation who shall fail to comply with any of the provisions of this section

shall on conviction thereof, in addition to all forfeitures, suspension or revocation of certificate of registration, and penalties herein provided for, pay a penalty of fifty dollars.

Sec. 1006. Before any portion of the plumbing and drainage system of any building shall be constructed, there shall be filed in the office of the Board of Health a plan and specification thereof signed by the owner, showing the said plumbing and drainage system entire, from its connection with the sewer, cesspool or vault throughout the entire building, together with the location of all fixtures, traps, ventilating pipes, etc. Said plan and specifications must be approved by the Board of Health, and the name of the plumber attached thereto before any portion of the work shall be executed. Before any changes are made in the direction of pipes or location of fixtures, they must first be approved, and said changes made on the original plan on file. In case any changes or alterations in existing systems are made, the Board of Health must be notified of that fact, and, if in its judgment or the judgment of the Health Officer a plan of the new work is necessary, the same must be furnished. Drawings and descriptions of the plumbing and drainage of buildings erected prior to the passage of this regulation, must be placed on file in the office of the Board.

Every owner of any building, or other person authorizing or directing any plumbing or drainage system, or alteration of the same in any building or elsewhere, who shall fail to comply with any of the provisions of this section, shall, on conviction thereof, pay a penalty of fifty dollars for the first offense, and the sum of one hundred dollars for the second and each subsequent offense.

Sec. 1007. When an original plan of any plumbing and drainage system is filed in the office of the Board of Health, a fee of two dollars will be charged to defray the expense of inspecting the plans, of filing and superintending the testing of the system. Every new plumbing system must be tested by the plumber, by the smoke, water, air or peppermint test, at the option and under the supervision of the Plumbing Inspector of the Board of Health, after the several lines of soil, vent and waste pipes, with their respective branches, are in place and the lead connecting pieces are attached. Also all brass screw plugs for cleanouts of traps, etc., on house drain, must be in position at time of testing the system. The fresh air inlet and house drain must be extended to outside of foundation wall before test is made. The Health Officer shall be notified by the plumber when the plumbing and drainage system of any building, or any portion thereof, is completed and ready for inspection and testing. Any such system put in and covered without due notice to the Health Officer must be uncovered for examination at the direction of said officer. All defective pipes and fittings must be removed and replaced with new.

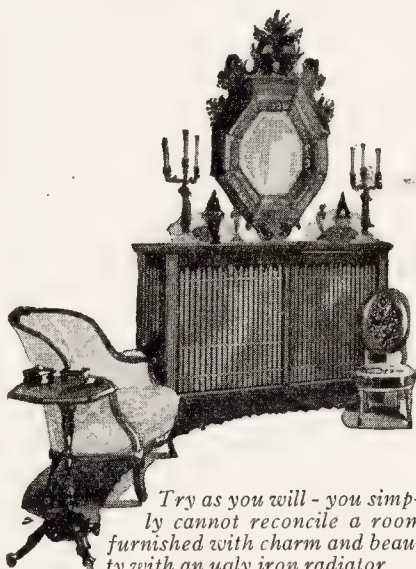
Any person, firm or corporation who shall violate any of the provisions of this section shall, upon conviction thereof, forfeit and pay a penalty of not less than five dollars, nor more than twenty-five for the first conviction, and a penalty of fifty dollars for each subsequent conviction.

Sec. 1008. All houses and other buildings on premises abutting on a street in which a sewer is laid, shall be separately and independently connected with said sewer by the owner, agent or lessee of said premises, unless upon application made, the Board of Health shall otherwise direct.

Sec. 1009. No building or premises shall be connected with any sewer, cesspool or vault, without a permit first obtained from the Board of Health, and it is further required that the permit shall be kept on hand during the progress of the work to which it relates, and that it shall be exhibited whenever required by the officers of this Board. The condition of this permit must be strictly complied with. This regulation applies to all sewers, whether on private property or in public streets or alleys.

Any person or persons violating any of the provisions of this or the preceding section, shall, on conviction thereof, pay a penalty of fifty dollars.

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Sec. 1010. Before laying the drain from the building to the sewer, cesspool or vault, and after the trench is graded, the bottom of the trench must be carefully rammed to avoid unequal settling of the drain. After the pipe is laid, as the trench is filled, the earth must be tightly rammed as nearly as possible to its original compactness. Tunneling is prohibited, unless the consent of the Board of Health thereto has first been obtained.

Sec. 1011. Where the ground is made or filled in, or in any case where there is danger of settlement from frost or from any cause, and when cesspools are used, the house sewer must be of extra heavy cast iron pipe, with lead joints properly caulked, and in no case to be less than four inches in diameter.

Sec. 1012. When a proper foundation consisting of a natural bed of earth, rock, etc., can be obtained, the house sewer from the main sewer in street to within five feet of foundation wall can be of salt-glazed earthenware pipe.

None but licensed master plumbers will be permitted to alter, repair or make connections to any part of the plumbing system, house drain or house sewer of any building, unless by special permission from the Board of Health. Other contractors having a proper license will be permitted to lay house sewer from main sewer in street to the curb line only. Old house drains shall not be used in connection with new buildings or new plumbing, except by permission from the Board of Health or the Health Officer. In no case shall earthenware pipe be used for sewage or leader purposes within a distance of five feet of the foundation walls of any building. The house drain and all vertical soil and vent and waste pipes must be what is known in commerce, as "extra heavy cast iron." All branch vents must be of heavy brass, galvanized wrought iron pipe with screwed joints, or what is known as "D" lead pipe. The house drain must properly connect with the house sewer at a point not less than five feet outside of the outer front vault, area wall or foundation wall of any building. Necessary offsets above the highest fixture branch must not be made at an angle of less than forty-five degrees to the horizontal. Soil and waste pipes must have proper "Y" branches for all fixture connections. Branch, soil and waste pipes must have a fall of at least one-quarter inch per foot. Short "T Y" branches will be permitted on vertical lines only. Long sweep one-quarter bends and long "T Y" are permitted. Short one-quarter bends, double hubs, short roof increasers, common offsets, bands and saddles are prohibited.

Sec. 1013. When a building is to be connected with a sewer or cesspool, it must be connected by a drain not less than four inches in diameter, having a fall not less than one-quarter of an inch to the foot, if practicable. Old drains can not be used for new houses, except by permission from the Board of Health.

Sec. 1014. When there is no sewer in the street on which a building faces, and it is necessary to construct a private sewer to connect with a sewer on an adjacent street or avenue, it must be laid outside the curb, under roadway of the street, and not through yards or under houses, without a special permit from the Board of Health.

Sec. 1015. House drain connections, with pipe sewers, must be made with "Y" branches in all cases where possible.

Sec. 1016. All horizontal drains within and to a distance of six feet beyond the walls of buildings, shall be of extra heavy cast iron, with caulked leaden joints, and shall be so located as to be readily accessible for inspection. If possible the house drain must be above the cellar floor. The house drain must be supported at intervals of not more than ten feet by eight inch brick piers, or suspended from the floor beams, or be otherwise properly supported by heavy pipe hangers at intervals of not more than ten feet. The use of pipe hooks for supporting house drains is prohibited. All brick piers, pipe hangers and supports must be in position before test is made, same to be furnished by the con-

tracting plumber unless otherwise specified by the architect. The house drain and all soil and waste pipes shall have a fall of at least one-quarter inch to the foot, and more if possible. Said drains shall be provided with openings for cleansing purposes, the same to be closed by extra heavy brass screw plugs.

Sec. 1017. The house drain and house sewer must be run as direct as possible with a fall of at least one-quarter inch per foot. All changes in any direction must be made with proper fittings, and all connections made with "Y" branches and one-eighth or one-sixteenth bends. In no case shall the house sewer be less than six inches in diameter. Where rain water discharges into the house drain, the house drain must be at least five inches in diameter up to the leader connections. Full size "Y" branches for hand hole cleanouts must be provided where required on house drain and its branches. In no case shall said cleanouts be more than twenty feet apart. Where underground, properly built brick pits must be provided by the contracting plumber.

An extra heavy cast iron running trap with a double hand hole must be placed on the house drain near the wall of the building and on the sewer side of all connections, except a drip pipe, where one is used. If placed outside of the house or below the cellar floor, it must be made accessible in a brick manhole, the walls of which must be eight inches thick, with an iron or flagstone cover. When outside of the house it must never be less than four feet below the surface of the ground. The house trap must have two extra heavy brass ferrules caulked in for cleaning purposes.

Sec. 1018. A fresh-air inlet, not less than four inches in diameter, must be connected with the house drain just inside of the house trap. Where underground it must be of extra heavy cast iron pipe. Said fresh-air inlet to have an opening to the outer air at least ten feet from any window or cold air duct, or placed at the curb line in a properly constructed pit, built of brick and hydraulic cement, walls of same to be eight inches thick, and bottom of said pit to be eighteen inches below the bottom of the fresh-air inlet pipe. Said pit must be covered by a flagstone, fitted with a removable iron grating leaded into the stone and having openings in area to the area of the fresh-air inlet pipe. When the house drain is more than six inches in diameter the fresh-air inlet pipe must be six inches in diameter.

Sec. 1019. The diameter of soil and waste pipes must not be less than those given in the following table:

Main soil pipes	4 inches
Main soil pipes for water closets on five or more floors	5 inches
Main soil pipes for tenement houses or factories exceeding three stories	5 inches
Branch soil pipes	4 inches
Main waste pipes	2 inches
Main waste pipes for kitchen sinks on four or more floors	3 inches
Branch waste for laundry tubs	2 inches
Branch waste for kitchen sinks	2 inches
Branch waste for urinals	2 inches
Branch waste for slop hoppers	3 inches
Branch waste for other fixtures	1½ inches

All branch waste from main house drain, when under ground, must be of not less than three inches in diameter. All soil, vent and waste pipes shall be as direct and concentrated as possible, protected from frost and readily accessible for inspection and convenience in repairing. When placed in partitions, pipes must be covered with woodwork, fastened with screws—not with nails.

Sec. 1020. All drain, soil, waste, vent and supply pipes shall be as direct and concentrated as possible, protected from frost, and readily accessible for inspection and convenience in repairing. When necessarily placed within partitions or recesses in walls, soil and waste pipes must never be covered except with woodwork, said woodwork to be so fastened with screws (never nails) as to be readily removed.

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Sec. 1021. When the soil or waste pipe receives the discharges of fixtures on any floor above the first, they must be extended in full calibre at least two feet to and above the roof coping, and twenty feet away from all air shafts, windows or ventilating openings. When less than four inches in diameter they must be enlarged to four inches at a point not less than one foot below the roof surface by an increaser, not less than nine inches long. No caps or cowls shall be affixed to the top of such pipes, but a strong copper wire basket or guard shall be provided.

Sec. 1022. There shall be no traps placed on vertical soil and waste pipes.

Sec. 1023. All changes in direction in cast or wrought iron pipes shall be made with curved pipes, and all connections shall be made with "Y" branches and one-sixteenth or one-eighth bends.

Sec. 1024. Soil, waste and vent pipes in an extension must be extended above the roof of the main building, when otherwise they would open within twenty feet of the windows of the main house or any adjoining house.

Sec. 1025. The least diameter of soil pipe permitted is four inches. A vertical waste pipe into which a line of kitchen sinks discharges must be at least three inches in diameter, if receiving the waste of five or more sinks, and shall have two inch branches.

Sec. 1026. When lead pipe is used to connect fixtures with vertical soil or waste pipes, or to connect traps with vertical vent pipe, it must not be lighter than "D" pipe.

Sec. 1027. All connections of lead with iron pipes must be made with a brass sleeve or ferrule of the same size as the lead pipe, put in the hub of the branch of the iron pipe and caulked with lead. The lead pipe must be attached to the ferrule by a wiped joint. All connections of lead, vent and waste pipes shall be made by means of wiped joints.

Sec. 1028. Every fixture must be separately and independently trapped by a water sealing trap placed as close to the fixture outlet as possible. All traps must be set true with respect to their water levels. All traps must have a water seal of at least one and one-half inches. Traps with interior chamber or mechanism are prohibited. In no case shall the waste pipe from any fixture be connected to a water closet trap. Leaders must not be connected to water closet traps. All exposed or accessible traps, except water closet traps, unless same be placed in yard, must have brass screws for cleaning the trap. All iron traps for house drains, yard and other drains and leaders must be running traps with hand hole cleanouts of full size of the traps. All traps underground must be made accessible by brick man-holes with proper covers of flagstone or iron. Overflow pipes from fixtures must in all cases be connected on the inlet side of the trap. No trap shall be placed at the foot of any vertical soil or waste pipe.

Sec. 1029. Traps must be placed as near the fixtures as practicable, and in no case shall a trap be more than two feet from the fixture.

Each and every trap shall be ventilated either by a special vent pipe of suitable size, extending at least two feet above the highest part of the house (or into a special pipe erected for ventilating purposes only, in which case the area of the special vent must be increased as it passes upward, so as to correspond to the combined area of all branch vents passing into it).

Sec. 1030. All traps must be protected from siphonage and back pressure, and the drainage system ventilated by special lines of vent pipes. All vent pipe branch lines must be so arranged as to drip into the vertical vent line. The vertical vent lines may be connected with the adjoining soil or waste line well above the highest fixture, but this will not be permitted when there are fixtures on more than four floors. All soil and vent pipes issuing from extension roof or elsewhere, which would otherwise open within twenty feet of the window or air shaft of any building, must be extended above the highest roof, and well

away from and above all windows. No sheet metal, brick or other flue shall be used as a vent pipe. The sizes of the vertical vent pipes must not be less than the following:

For a group of fixtures on one floor (not exceeding six) may be two-inch vent (water closets excepted);

For two and three floors, three-inch vent;

For four or more floors, four-inch vent.

Branch vent pipes must be kept above the top of all connecting fixtures, to prevent the use of vent pipes to act as soil or waste pipes. They will not be permitted lower than the top of the highest fixture in the group. Branch vent pipes should be connected as near to the crown of the trap as possible. The use of the McClellan vent is prohibited. The sizes of the branch vents for the different fixtures throughout the building must not be less than the following:

For water closets and slop sinks, two inches.

For all other fixtures, one and one-half inches in diameter.

Earthenware traps for water closets and slop sinks must be ventilated from the branch soil or waste just below the trap, and this branch vent pipe must be so connected as to prevent obstruction, and no waste pipe connected between it and the fixture. Earthenware traps must have no vent horns.

All offsets must be made at an angle of not less than forty-five degrees to the horizontal, and all vent lines must be connected at the bottom with a "Y" branch to soil or waste pipe or house drain in such a manner as to prevent the accumulation of rust scale.

Sec. 1031. Vent pipes must extend two feet above the highest part of the roof or coping, the extension to be not less than four inches in diameter, to avoid obstruction from frost, except in cases where the use of smaller pipes is permitted by the Board of Health. Where more convenient, vent pipes from traps, or combinations of the same, may be connected to the main soil pipe extension above the highest waste inlet. These vent pipes must always have a continuous slope, to avoid collecting water by condensation.

Sec. 1032. No trap vent pipe shall be used as a waste or soil pipe.

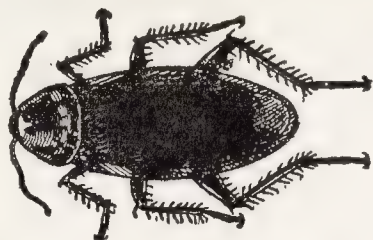
Sec. 1033. Waste pipes from safes under fixtures shall be discharged into an open sink or upon the cellar floor. In no case shall they be connected with the soil pipe, house drain or sewer. The waste pipe from refrigerators shall in no case be directly connected with any soil or waste pipe, or with any drain or sewer, or discharge upon the ground.

Sec. 1034. The sediment pipe from kitchen boilers must never be connected to any part of the plumbing or drainage system of any building. Kitchen boilers must be provided with a proper draw cock for emptying purposes.

Sec. 1035. Water closets must never be placed in an unventilated room or compartment. In every case the compartment must be open to the outer air, or be ventilated by means of a shaft or air duct. In all buildings the outside partitions of water closet compartments must extend to the ceiling, or be independently sealed over, and these partitions must be air tight. The general water closet accommodations for a tenement or lodging house cannot be placed in the cellar. Water closets when placed inside of buildings must be set open and free from all inclosing woodwork. Pan and all forms of plunger water closets and offset water closets are prohibited. Water closets when placed in the yard must have a pit built under same at least three and one-half feet deep, walls of same to be not less than eight inches thick, built of brick or stone and hydraulic cement. Yard water closets must be separately and effectively trapped by an extra heavy cast iron trap placed at the bottom of the pit to prevent freezing. Soil pipe from same must be extra heavy cast iron and extend at least five feet outside of brick or stone pit. When yard water closets are placed twenty feet or more distant from any building, the traps of same may be ventilated to and above the roof of the water closet compartment; but when water closets are

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placed at a distance of less than twenty feet from any building, the ventilating pipe of same must be extended to and above the roof of the main building. In no case shall such a vent pipe be less than four inches in diameter, unless there be other branch waste, soil or vent pipes extending to and above the main roof of front building. Where such is the case, vent pipes from yard water closets must not be less than three inches in diameter. All yard water closets must be provided with anti-freezing valves for flushing purposes, placed at the bottom of pit; the drip pipe of same must be properly soldered or coupled to the cap of the brass cleanouts of the trap. Cast iron covers for traps and cleanouts are prohibited. Long cast iron hopper water closets will not be permitted inside of any building unless there be an exposure to frost, in which case the trap of same must be boxed and packed with mineral wool to prevent freezing. Where water closet or other fixture traps are of iron, they must be porcelain lined. Drip trays must be enameled on both sides and properly secured in place. Iron water closet and urinal cisterns and automatic water closets and urinal cisterns are prohibited. Water closet flush pipes must not be less than one and a quarter inch, and urinal flush pipes one inch in diameter, and if of lead, must not weigh less than two and one-half pounds, and two pounds per lineal foot. Flush couplings must be of full size of the pipe. Latrine trough water closets and similar appliances may be used only on permission granted by the Health Officer. All urinals must be constructed of materials impervious to moisture, that will not corrode under the action of urine. The floor and walls of the urinal apartments must be lined with similar non-absorbent and non-corrosive material. Latrine trough water closets and trough urinals must be enameled castiron. In tenement houses and lodging houses, sinks, bathtubs, wash bowls and all other fixtures must be entirely open and free from inclosing woodwork. All fixtures must be supported on iron or brass brackets or legs.

Sec. 1036. All water closets within the house must be supplied with water from separate tanks or cisterns, the water of which is used for no other purpose. A group of closets on the same floor may be supplied from one tank.

Sec. 1037. Water closets, when placed in the yard, must be so arranged as to be conveniently and adequately flushed, and their water supply pipes and traps must be protected from freezing. The compartment of such water closets must be ventilated by means of slatted openings in the doors and roof.

Sec. 1038. All waste, overflow or vent pipes shall be of lead, cast or wrought iron.

Sec. 1039. All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such a manner as shall protect the walls and foundation of said buildings from injury. Inside leaders must be of cast iron or galvanized wrought iron pipe with roof connections made gas and water tight by means of a heavy lead or copper drawn tubing wiped or soldered to a brass ferrule or nipple, caulked or screwed into the pipe. Outside leaders may be of sheet metal, but they must connect with the house drain by means of a cast iron pipe extending vertically five feet above the grade level. All leaders must be tapped with an extra heavy cast iron trap so placed as to be accessible and to prevent freezing. Rain water leaders must not be used as soil, vent or waste pipes, nor shall any such pipe be used as a leader.

Sec. 1040. No steam exhaust, boiler blow-off or drip pipe shall be connected with the house drain or sewer. Such pipes must first discharge into a proper condensing tank, and from this a proper outlet to the house sewer outside of the main trap of building must be provided. In low pressure steam system the condensing tank may be omitted, but the waste connection must be otherwise, as above required.

Sec. 1041. Cellar and foundation walls must be rendered impervious to dampness and the use of asphaltum or coal tar pitch in addition to

hydraulic cement, is recommended for that purpose.

Sec. 1042. Cellars and areas shall not be connected to the house drain, unless absolutely necessary. If connected with the house drains, running traps with cut-off valves and proper water supply must be provided. Dry cesspools must be used to care for surface water from cellars and areas when practicable.

Sec. 1043. Sub-soil drains must be provided when necessary, and in no case shall these drains have a direct connection with the sewer or the drainage system of any building. The contents of said receiving tank must be lifted or discharged into a proper water supplied open sink.

Sec. 1044. Yard and open light courts must always be properly graded, cemented, flagged or well paved, and properly drained; when the drain is connected with the house drain it must be effectively trapped.

Sec. 1045. Wooden wash trays are prohibited. Each compartment of the wash trays shall have a separate bottom outlet, with a through and through fitting, and overflows shall be external to the wash trays.

Sec. 1046. All water closets and other fixtures must be provided with a sufficient supply of water for flushing to keep them in a proper and cleanly condition. When the water pressure is not sufficient to supply freely and continuously all fixtures, a house supply tank must be provided, of sufficient size to afford an ample supply of water to all fixtures at all times. Such tanks must be supplied from the pressure or by pumps, as may be necessary. When from the pressure, ball-cocks must be provided. If water pressure is not sufficient to fill house tanks, power pumps must be provided for filling them in tenement houses, lodging houses, factories and workshops. Tanks must be covered so as to exclude dust, and must be so located as to prevent water contamination by gases and odors from plumbing fixtures, or other causes. House supply tank must be of wood or iron, or of wood lined with tinned and planished copper (never lead). The overflow pipe should discharge upon the roof where possible, and in such cases should be brought down to within six inches of the roof, or it must be trapped and discharged over an open and water supplied sink. In no case shall the overflow be connected with any part of the plumbing system. Emptying pipes for such tanks must be provided and be discharged in the manner required for overflow pipes. No service pipes or supplying pipes should be run, and no tanks, flushing cistern or water supplied fixtures should be placed where they will be exposed to frost. Where so placed they shall be properly boxed and packed with mineral wool in such manner as to prevent freezing.

Sec. 1047. All materials must be of the best quality, free from defects, and all work must be executed in a thorough and workmanlike manner. All cast iron, soil, waste and vent pipes and fittings must be uncoated, sound, cylindrical and smooth, free from cracks, sand holes and other defects, and of uniform thickness, and of the grade known in commerce as "extra heavy." All cast iron pipe, including the hub, shall weigh not less than the following average weights per lineal foot:

Diameters,	Weights per Lineal Foot
2 inches.....	5½ pounds
3 inches.....	9½ pounds
4 inches.....	13 pounds
5 inches.....	17 pounds
6 inches.....	20 pounds
7 inches.....	27 pounds
8 inches.....	33½ pounds
10 inches.....	45 pounds
12 inches.....	54 pounds

Sec. 1048. The size, weight and maker's name must be cast on each length of the soil and vent pipes. All joints must be made with picked oakum and molten lead, made gas and water tight. Twelve (12) ounces of fine, soft pig lead must be used at each joint for each inch in the

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diameter of the pipe. Fittings for vent pipes on wrought iron or brass pipes must be of cast or malleable iron or brass. All brass pipe for vent and waste pipes and solder nipples must be thoroughly annealed, seamless, drawn, brass tubing of a standard iron pipe gauge. Connections on brass pipe and between brass pipe and traps on iron pipe must not be made with slip joints or couplings. Threaded connections on brass pipe must be of the same size as iron pipe threads for same size of pipe and be tapered. All connections of lead with iron pipes must be made with an extra heavy brass ferrule. The lead pipe must be attached to the ferrule by a wiped joint. All connections of lead, vent and waste pipes must be made by means of wiped joints. Overcast or cupped joints will not be permitted on any part of the plumbing system.

Sec. 1049. Brass screw caps for cleanouts must be extra heavy, and not less than one-eighth of an inch thick. The screw cap must have a solid square or hexagonal nut, not less than one inch high with a diameter of one and one-half inches. The body of the cleanout ferrule must at least equal in weight and thickness the brass caulking ferrule for the same size of pipe. Where cleanouts are required by the rules and by the approved plans, the screw cap and body must be of extra heavy brass. The engaging parts must have not less than six threads of iron pipe size and be tapered. Cleanouts must be of full size of trap up to four inches in diameter, and not less than four inches for larger traps. The use of lead pipe is restricted to the short branches of the soil, vent and waste pipes, bends and traps, roof connections of leaders and flush pipes.

Sec. 1050. Brass ferrules must be of the best quality, extra heavy cast brass, not less than four inches long and two and one-quarter, three and one-half inches and four and one-half inches in diameter, and not less than the following weights:

Diameters	Weights
2½ inches.....	1 pound 0 ounces
3½ inches.....	1 pound 12 ounces
4½ inches.....	2 pounds 8 ounces

One and one-half inch ferrules are not permitted. Soldering nipples must be heavy cast brass, or of brass pipe, iron pipe size. When cast they must not be less than the following weights:

Diameters	Weights
1½ inches.....	0 pounds 8 ounces
2 inches.....	0 pounds 14 ounces
2½ inches.....	1 pound 6 ounces
3 inches.....	2 pounds 0 ounces
4 inches.....	3 pounds 8 ounces

Sec. 1051. All lead waste, soil, vent and flush pipes must be of the best quality, known in commerce as "D" and of not less than the following weights per lineal foot:

Diameters	Weights per Lineal Foot
1½ inches (for flush pipes only).....	2½ pounds
1½ inches.....	3 pounds
2 inches.....	4 pounds
3 inches.....	6 pounds
4 and 4½ inches.....	8 pounds

The waste pipes from any plumbing fixture in any building shall not be connected with the lead bend of any water closet, but there must be a separate "X" branch outlet left in the soil pipe for all other plumbing fixtures.

All lead traps and bends must be of the same weight and thickness as their corresponding pipe branches. Sheet lead for roof flashings must not

be less than four pounds to the square foot and must extend not less than six inches from the pipe, and the joint must be made water-tight.

Sec. 1052. The term "House Sewer" is applied to that part of the main drain or sewer extending from a point five feet outside of the outer face of the outer front vault or area wall to its connection with the public sewer, private sewer or cesspool.

The term "House Drain" is applied to that part of the main horizontal drain and its branches inside the walls of the building and extending to and connecting with the house drain.

The term "Soil Pipe" is applied to any vertical line of pipe extending through the roof receiving the discharge of one or more water closets with or without other fixtures.

The term "Waste Pipe" is applied to any pipe extending through the roof, receiving the discharge from any fixture, except water closets.

The term "Vent Pipe" is applied to any special pipe provided to ventilate the system of piping and to prevent trap siphonage and back pressure.

Sec. 1053. No master plumber shall build or erect any plumbing or drainage system or any part thereof or make any change or alteration in any plumbing or drainage systems, heretofore existing or hereafter to be built or erected, or any portion or part thereof, unless the same shall conform in all its details to the particulars set forth in Sections 1008 to 1052 inclusive of this ordinance; and any master plumber or plumbers who shall fail to comply with any of the provisions of Sections 1008 to 1052 inclusive, or who shall build or erect any plumbing or drainage system or any part thereof, or make any change or alteration in any such plumbing or drainage system heretofore existing or hereafter to be built or erected, or any part thereof, which shall fail to comply with and conform to any of the provisions of Sections 1008 to 1052 inclusive, shall, upon conviction thereof, pay a penalty of fifty dollars for the first offense, and for a second offense the sum of one hundred dollars, and for each subsequent offense the sum of one hundred dollars to the said Board of Health of the City of Newark.

Every owner, lessee or occupant of any building or part thereof, or of any premises or part thereof, and every other person who shall knowingly erect or build, or cause to be erected or built, or who shall maintain or cause to be maintained thereon any plumbing or drainage system or any part thereof, or any change or alteration in any plumbing or drainage system, heretofore existing or hereafter to be built or erected, or any part thereof, which shall fail to comply with and conform to any of the provisions of Sections 1008 to 1052 inclusive, shall, upon conviction thereof, forfeit and pay a penalty of fifty dollars for the first offense, and for a second and each subsequent offense the sum of one hundred dollars to the Board of Health of the City of Newark.

Every owner, lessee or occupant of any building or part thereof, and every other person who shall use any plumbing or drainage system or part thereof, or any change or alteration in any plumbing or drainage system heretofore existing or hereafter to be built or erected, or part thereof which shall in any particular fail to comply with and conform to any of the provisions of Sections 1008 to 1052 inclusive, shall, upon conviction thereof, forfeit and pay a penalty of fifty dollars for the first offense, and for the second and each subsequent offense the sum of one hundred dollars to the Board of Health of the City of Newark.

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LAW OF NEW JERSEY RELATING TO CHILDREN

INFANTS.

Under this general subject the New Jersey laws are to be found relating to sale of real estate of minors, adoption, custody and maintenance, protection and promotion of health, morals and welfare and prevention of cruelty.

Property of an Infant.

A minor owning real estate is a ward of the Court of Chancery, and the proceedings are in that court. (Comp. Stat., P. 2804.)

Guardianship.

The Chancellor appoints the guardian under bond conditioned for the just and faithful performance of the trust and for the observance of such orders and directions as the Chancellor may from time to time make. (Comp. Stat., P. 2804.)

Adoption.

Proceedings for adoption are found in the Revision of 1902, page 259, with subsequent mandatory laws. (Comp. Stat., P. 2807.)

Who May Petition.

Any unmarried person of full age, any husband with his wife's consent, or any wife with her husband's consent, or any husband or wife jointly, may petition in the Orphans' Court where the child resides or where the petitioner may reside. (Comp. Stat., P. 2807.)

Change of Name.

The Orphans' Court, upon petition for adoption, may authorize a change of name of such child, provided that the written consent of such child must be given if he is over fourteen years of age. (Comp. Stat., P. 2807.) Application by a guardian or next friend for change of name of a minor may be made before a Circuit Court or the Court of Common Pleas. (Comp. Stat., P. 3685.)

Consent of Parents.

Written consent of parents must be presented with the petition. If either parent be dead, unknown, insane or habitually intemperate, or shall have abandoned the child, or be divorced, then the consent of one parent is sufficient. If both are dead or otherwise, the written consent of the legal guardian is required, or some discreet next friend appointed by the court may give proper consent. When parents have granted custody and control to any orphanage or children's home, or society, then written official consent may be made by such society or home. If the child is above fourteen years of age, its consent must be had. (Comp. Stat., P. 2807.)

Petition Must Be Complete.

A petition for adoption must contain the name, age and place of residence of the petitioner and of the child, and the name by which the child shall be known what property it is possessed of, whether it has either father or mother living, their names and places of residence, and the petitioner must be at least ten years older than the child sought to be adopted, all of which matters shall appear of record in the petition. (Comp. Stat., P. 2807.)

Hearing on Petition.

The court shall appoint a day for hearing not less than ten nor more than thirty days from the filing of the petition, and the court may adjourn the hearing from time to time. If a next friend is necessary to be appointed, publication in newspapers is necessary for a period of three weeks, unless the court considers it to the best interest of the child to immediately appoint a next friend. (Comp. Stat., P. 2808.)

Decree and Record.

The petition, decree, testimony and proceedings shall be recorded in the surrogate's office. When the decree is entered, the parents of the child shall be divested of all legal rights with respect to the child, and the child shall be free from all legal obligations to the parents. The child becomes the child of the adopting parent as if born in lawful wedlock. (P. L. 1912, P. 53.)

Inheritance Rights.

An adopted child has the right of inheritance of real estate or to the distribution of personal property, excepting under circumstances. When di-

voice of a parent occurs, or a surviving parent marries again, or when an adult unmarried person is a foster parent and subsequently marries, such parent or foster parent shall not be relieved or deprived of duty toward such child. (P. L. 1912, P. 54.)

Descent.

All lawful children inherit equally. A child dying before his parent, his children inherit the share of such person. If an ancestor shall have during lifetime given or advanced any part of his property to a child, such child shall not inherit if the amount given equals or exceeds the share falling due at the death of the ancestor. The same rule of descent follows to grandchildren and other descendants "to the remotest degree." Brothers and sisters dying without issue leave their property to living brothers and sisters in equal degree. The same provision exists for the brother dying before coming into inheritance whereby his children inherit his share. Step-children inherit only in the absence of other legal heirs.

For special conditions the law and the rulings of the courts must be studied. (Comp. Stat., P. 1917.)

Guardians Appointed by Will.

A father may by deed execute in his lifetime, or by will proven after death, dispose of the "custody and tuition" of his children, being minors, to any person or persons. The mother must consent in writing in the presence of two witnesses. (Comp. Stat., P. 2627.)

A widow by will may appoint a guardian for the minor children, provided the husband has not provided for guardianship. (Comp. Stat., P. 2627.)

Sale of Property.

The Orphans' Court, upon representation and investigation, may grant orders for sale of property of minors. (Comp. Stat., P. 2628.)

Support of Minor.

The Orphans' Court may fix the sum to be expended yearly by the guardian for support, maintenance and education of minors. (Comp. Stat., P. 2629.) In case of a defective. (Comp. Stat., P. 2633, Sec. 19.)

Other Powers of Guardians.

There are specific laws relating to the sale of lands, mortgaging of lands, erection and repairs of buildings, etc., by guardians upon petition in the Orphans' Court. (Comp. Stat. PP. 2628-30.)

Guardianship by Grand Lodges.

A grand lodge or other legislative head of a benevolent or fraternal organization incorporated in New Jersey having established a home for widows, orphans and aged members, becomes guardian of the person of any child which may be committed by surrender, or upon appointment to such guardianship by a court.

Such guardianship remains during minority until it shall attain the age of eighteen years, or until it shall have been disposed of as hereinafter provided. The corporation or its board or committee may bind out after the age of eight years any such child, according to indenture laws, but shall exercise a general oversight over such child and may annul such indenture at pleasure. (Comp. Stat., P. 195.)

DIVORCE.

Care, custody, education and maintenance of children, pending a suit for divorce, or after a decree of divorce, is made by order of the Chancery Court. (Comp. Stat., P. 2035.)

Abandonment (Chancery Proceedings).

The Chancery Court may order support of children by the husband who abandons wife without any justifiable cause. (Comp. Stat., P. 2038.)

Children of Divorced Parents.

If divorce is obtained in another State and children reside in this State, the Chancery Court, upon petition of either parent or of a next friend, may make decree concerning care, custody, education and maintenance. Children in custody of the Chancery Court whose parents are divorced, separated or living apart, when native or residents for five years of the State, cannot be removed from the State without their consent, if of age to give

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consent, and if under such age the consent of both parents is required. Parents have equal rights to custody of children pending a controversy. A decree of court regarding legal custody is required upon the death of a parent having court order for custody or in its absence and the parents are living apart. The Chancery Court may determine the custody of children when parents are separated without divorce, by habeas corpus proceedings. (Comp. Stat., PP. 2809-10.)

Children of Unfit Parents.

Any person interested in the welfare of a minor child whose parents or custodian are grossly immoral or unfit to be trusted with its care and education, or who neglect to protect, maintain and educate, or who are of such vicious, careless and dissolute habits as to make liable the child becoming a public charge, may petition the Chancellor, or any justice of the Supreme Court, or the county judge where the child resides for a hearing and relief for such child. The court, after hearing, due notice being given to parents, shall commit the child to the custody of "such person who will accept the same" until the child is eighteen, or the future order of the court, and the court may require a bond of the custodian of the child. Or the court may commit the child to an incorporated children's society.

Whenever a parent or person having control of a minor shall be convicted of a criminal act against such child, any person may petition the Orphans' Court for the appointment of a proper guardian. The court may name a guardian, having regard to the religious faith of the parent or guardian, or may commit to an asylum or home for children, and may order the parent to pay maintenance, but the court may subsequently remand the child to the custody of the parent. (Comp. Stat., P. 211.)

INCORPORATED ASSOCIATIONS, NOT FOR PROFIT.

Societies incorporated in New Jersey prior to 1898 have all the legal rights, privileges and powers conferred upon such societies by any law in existence prior to that year, although such permissive laws may have been repealed subsequent to such incorporation.

By the law of 1898, with subsequent amendments, any five or more persons may incorporate, but "no certificate of incorporation relating to eleemosynary or charitable institutions, other than aid societies, or properly organized and accredited churches and fraternal societies organized for aid and relief of their members, shall be filed as herein prescribed before first having been certified to and approved by the Commissioner of Charities and Corrections." (Comp. Stat., P. 125, with Sec. 1 amended 1914, P. 152.)

Commitment of Children to Associations.

Abandoned, abused, assaulted or cruelly treated children, upon proof produced before a justice of the peace or judge of any court of record, may be committed by such justice or court to the care and custody of "any corporation organized under the provisions of this act for the purpose of the prevention of cruelty to children or for the care and custody of children, and such corporation may indenture said child or children with a view to provide homes suitable for them." (Comp. Stat., P. 127.)

Enforcing This Law.

Judges, justices, constables, sheriffs and officers of police shall aid such corporation, its officers, members and agents in the enforcement of all laws relating to or affecting children, and the powers to bring offenders to justice shall be those of societies for the prevention of cruelty to animals. (Comp. Stat., P. 127.)

Orphan Asylum Associations Have Additional Powers.

To apply for and accept the guardianship of orphans, or children who have no mother; to bind out such children "as shall have been under their care for more than one year," but the consent of the parent shall be required, if any payment has been made for support by parents, to receive and retain orphans or children having no mother. (Comp. Stat., P. 128.)

CRIMES.

Relating to Children.

Sodomy. (Comp. Stat., P. 1759, Sec. 44.)
Incest. (Comp. Stat., P. 1760, Sec. 45 and 46.)
Prostitution. (Comp. Stat., P. 1760, Sec. 47a.)
Compelling prostitution. (Comp. Stat., P. 1760, Sec. 47b.)
Detention in disorderly house. (Comp. Stat., P. 1761, Sec. 47c.)
Transportation for prostitution. (Comp. Stat., P. 1761, Sec. 47g.)
Fornication. (Comp. Stat., P. 1761, Sec. 48.)
Intercourse. (Comp. Stat., P. 1761, Sec. 49 and 50.)
Lewdness. (Comp. Stat., P. 1762, Sec. 51.)
Sending indecent communications. (Comp. Stat., P. 1763, Sec. 54.)

Employing Minors for Mendicant or Immoral Purposes.

Any person who, having in his control or custody any minor child who shall sell, apprentice, give away, let out, employ, hire or otherwise dispose of such minor or minors for purposes of begging, singing and playing on a musical instrument, ropewalking, dancing, or for any mendicant or wandering business whatsoever, and any person who shall take, receive, hire, employ, use or have in custody any such minor or minors, either in public or private places, shall be guilty of a misdemeanor. (Comp. Stat., P. 1763, Sec. 56.)

Gaming by Minors.

Permitting gambling or playing cards, pool, etc., by minors under sixteen years of age in places where liquor is sold is a misdemeanor, excepting when parents accompany such minor. (Comp. Stat. 1769, Sec. 70b; P. L. 1903, P. 643.)

Purchase of Certain Articles from Children.

Any person purchasing jewelry, hardware, waste metals, plumbers' or builders' supplies or fixtures, metal pipes or conduits, and junk of a metallic nature, second-hand clothing, bric-a-brac, or house-furnishing goods from a minor under the age of sixteen, which may have been stolen, shall be guilty of a misdemeanor. (Comp. Stat., P. 1768, Sec. 70a.)

Children in Dance Halls.

Management of dance halls, or of any concert saloon are prohibited from allowing children under eighteen to remain unless accompanied by parent or guardian. (P. L. 1911, P. 207.)

Children in Theatres or Moving Picture Shows.

Children under sixteen unaccompanied by parent, or guardian, or adult friend with consent of parent or guardian, not permitted. (P. L. 1911, P. 207.)

Selling Liquor to Children.

Persons selling or giving liquor to children under eighteen, or permitting minors to frequent places where liquor is sold, may be found guilty of a misdemeanor. (Comp. Stat., P. 1769, Sec. 70f.) (P. L. 1908, P. 376.) Note—This 1908 law has been declared unconstitutional in respect to section 2, and consequently the new act of 1911, page 207, was passed to correct this section 2. The so-called "Bishop's Law" of 1906, page 99, is deficient in penalty, hence the 1908 law with the supplement of 1911, as above stated.

Pool or Billiard Rooms.

Similar provisions. (Comp. Stat., P. 177, Sec. 70g.) Also a minor under eighteen may not play billiards or pool in any saloon or room kept for purpose of profit. Keepers are liable to a penalty of \$20, sued by parent or guardian, or in the name of any incorporated humane society, the penalty to go to the overseer of the poor. (Comp. Stat., P. 2814, Sec. 43-44.)

Cigarettes or Tobacco.

Selling or giving cigarettes or tobacco to any minor under eighteen years prohibited. Penalty, \$10 maximum fine for first offense, and \$25 for each succeeding offense. Cases may be tried before municipal magistrate. (P. L. 1912, P. 194.)

Also, sale of cigarettes or tobacco in any form to minors under the age of sixteen years is forbidden. Offenders are liable to a fine of \$20, to be sued for by and in the name of parent or guardian in any court of competent jurisdiction, and the penalty goes to the county collector. (Comp. Stat., P. 2814, Sec. 41-42.)

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Desertion of Family (Crimes Act).

Desertion a misdemeanor. Penalty, fine not exceeding \$100 or imprisonment, with or without hard labor, not exceeding one year. (Comp. Stat., P. 1770, Sec. 73a.) Desertion by a mother is declared a misdemeanor by a similar law. (P. L. 1916, P. 83.)

Rape.

Carnal knowledge of a woman forcibly against her will, or unlawful and carnal abuse of a woman-child under the age of twelve years, with or without her consent, is a high misdemeanor, with a penalty of \$5,000 fine, maximum, or hard labor for thirty years, maximum, or both. Unlawful carnal abuse of a woman-child over twelve and under sixteen, is a high misdemeanor, with a maximum fine of \$2,000, or hard labor for fifteen years, or both. (Comp. Stat., P. 1783.)

Rape and Carnal Abuse Law.**("Age of Consent.")**

Committing a rape or carnally abusing a "woman-child under the age of eighteen, with or without her consent," is a high misdemeanor, with a maximum fine of \$5,000, or imprisonment at hard labor not exceeding twelve years, or both. (Comp. Stat., P. 1782.) Amended 1921.

Abduction and Seduction.

Taking a child under eighteen from the custody of parent or guardian and against their will, with intent to marry or carnally abuse, or for immoral purpose, is a misdemeanor. If marriage is consummated it is a high misdemeanor. The proprietor of any place where the crime is consummated may be found guilty of a high misdemeanor. (Comp. Stat., P. 1784.) Amended 1921.

Kidnapping and Enticing Away.

Forcibly stealing a child, or enticing any child under fourteen to leave parent or guardian is a high misdemeanor, with a penalty of from five years to life. (Comp. Stat., P. 1783.)

BASTARDY.

Bastardy proceedings can only be instituted when the child is "chargeable or likely to be chargeable" upon the municipality. The overseer of the poor in the place where the mother may be or where she has settlement may apply to a magistrate of the same county wherein such woman may be to make inquiry into the facts and circumstances of the case. The magistrate, upon sufficient proof, shall issue warrant for the arrest of the reputed father. (Comp. Stat., P. 184.)

Order of Filiation.

If the decision is that the person before the court is the father of the child, the magistrate makes an order of filiation, and specifies the sum to be paid weekly or otherwise for the support of the child, and this proceeding must be reduced to writing and duly subscribed. (Comp. Stat., P. 186.)

Failure to Give Bond.

Discharge from arrest is authorized after a bond is given; otherwise the father must be committed to penitentiary or jail, there to remain until costs are paid and bond executed, "or until discharge according to law." (Comp. Stat., P. 187, Sec. 10.) But rearrest and a new bond may be had. (Comp. Stat., P. 191, Sec. 32.)

Bastard Proceedings in Municipal Courts.

Justices of the peace do not have jurisdiction in bastardy cases in municipalities having municipal courts. (Comp. Stat., P. 191.)

Bastardy Legitimized.

When a bastardy occurs of natural parents such child becomes legitimized and shall possess all the rights of children born in wedlock. (P. L. 1915, P. 333.)

CRUELTY AND NEGLECT OF CHILDREN.

In 1880 a cruelty and neglect law was adopted, also, one "to protect the health of boys and girls, etc.", and in 1883 there was an act for the punishment of cruelty to children. These laws have in general been superseded by the "Child Welfare Act of 1915." It was found difficult in cases to proceed under these old acts, and while they have not been repealed the new welfare act will be found applicable in most cases. Consequently, only brief mention and citation is made of the old laws.

Law of 1880 (Cruelty Act).

Ill-treating a misdemeanor. (Comp. Stat., P. 2815, Sec. 45.)

Neglect. (Comp. Stat., P. 2815, Sec. 46.)

Employment dangerous to health of morals. (Comp. Stat., P. 2816, Sec. 47.)

Employment as mendicants. (Comp. Stat., P. 2816, Sec. 48.)

Employment in dance halls. (Comp. Stat., P. 2816, Sec. 49.)

Employment in mines. (Comp. Stat., P. 2816, Sec. 50.)

Arrest upon warrant. (Comp. Stat., P. 2817, Sec. 51.)

Appointing guardian. (Comp. Stat., P. 2817, Sec. 52.)

Agents of humane society may be commissioned as police officers for arrests under this act. (Comp. Stat., P. 2817, Sec. 53.)

Humane societies take custody. (Comp. Stat., P. 2817, Sec. 54.)

Adoption of deserted children. (Comp. Stat., Page 2818, Sec. 55.)

Imprisonment by default. (Comp. Stat., P. 2818, Sec. 56.)

Commitment to "guardians of the poor." (Comp. Stat., P. 2818, Sec. 57.)

Law of 1880 to Protect Health.

Selling liquor to minor. (Comp. Stat., P. 2813, Sec. 34.)

Frequenting places where alcoholic or malt liquors are kept or sold. (Comp. Stat., P. 2813, Sec. 35.) The penalty in this act is placed at \$60, to be recovered in civil action before the Circuit or Common Pleas Court.

Law of 1883 (Punishment of Cruelty).

Penalty for cruelty, a misdemeanor. (Comp. Stat., P. 2818, Sec. 58.)

Societies may prosecute. (Comp. Stat., P. 2819, Sec. 59.)

Commitment of children. (Comp. Stat., P. 2819, Sec. 60.)

Disposition of fines. (Comp. Stat., P. 2819, Sec. 61.)

THE CHILD WELFARE LAW OF 1915.

Herewith is printed the Child Welfare Act of New Jersey with the amendments of 1918.

Much can be done for the protection of children if the spirit of this law is understood and if the law is used.

We must wholly change our viewpoint in applying law to children. We must no longer use the punitive law. We must no longer try to punish the child. We must no longer treat the child as a juvenile offender against crime statutes.

What we must consider is the fundamental fact that a child is a ward of the State, and the State must use its legal machinery to protect the child as a ward of the State. The State needs the child and must see that the child is grown to maturity to become a part of the State. We must seek to make states-men out of states-wards.

So, our child welfare law is a remedial act, not a punitive act. This law in practice seeks to protect the child in its rights for the ultimate benefit of the State.

The natural place for a child is its own home. It thrives best in its own home and with its natural parents. Foster parents are but makeshifts at best. Foster care, either in private or State institutions, are makeshifts at best. In so far as we shall improve home conditions and improve parental care and custody, in just so far will we be accomplishing the best interests of the child.

We should, therefore, seek to protect the child in his own home, and when we can no longer accomplish his protection there, then we must admit our failure, and only then remove the child to other custody than that of the parents.

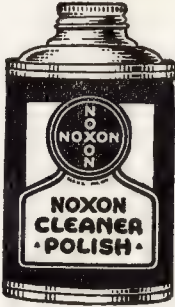
Modern child welfare work means enforcing parental care and enforcing a better home life. The child is the witness in the case and the parents are the true defendants. Our practice must be to work upon the parent to so improve his home conditions that the child may have the benefit of the better protection thus afforded. If the parent neglects to supply the child with proper nourishing food, it is the parents' legal duty to feed the child better. If the parent neglects the

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child's hygienic condition, then the State must enforce a better hygienic condition for the child. If the child is abused by the parent, then the State must stop the abuse, not by taking the child from the parent, but by taking the parent from the child, temporarily, if need be, until the parent learns that he must no longer abuse, neglect or ignore his parental duties.

Taking children from parents may be a necessary temporary expedient until the parents shall prove their ability and intent to care for their own offspring in a proper spirit.

Working with this point of view, we apply the law to the parents rather than to the child for the purpose finally of securing the welfare of the child.

Welfare work means to encourage the parent to improve the social condition of his children. It does not mean to take the children away because the parent neglects his own. It means strengthening the home ties, not breaking them down. We must encourage, not discourage, and we must use this law to warn and command, rather than to punish and discipline. Under threat of the law's enforcement, we hold the parent under probation to accomplish the sole purpose of protecting the child in its natural rights.

Municipal officials may find this law of great service when so applied that it works for the best interest of the child in his own home. To rebuild a home is better than to use the law to complete its wreckage. Saving the home saves the children of that home.

Definition.

1. Abuse of a child shall consist in any of the following acts: (a) disposing of the custody of a child contrary to law; (b) employing or permitting a child to be employed in any vocation or employment injurious to its health or dangerous to its life or limb, or contrary to the laws of this State; (c) employing or permitting a child to be employed in any occupation, employment or vocation dangerous to the morals of such child or children; (d) the habitual use by the parent or by a person having the custody and control of a child, in the hearing of such child, of profane, indecent or obscene language; (e) the performing of any indecent, immoral or unlawful act or deed, in the presence of the child, that may tend to debauch or endanger or degrade the morals of the child, or (f) permitting or allowing any other person to perform any indecent, immoral or unlawful act in the presence of the child that may tend to debauch or endanger the morals of said child.

A. Abandonment of a child shall consist in any of the following acts by any one having the custody or control of the child; (a) wilfully forsaking a child or children; (b) failing to care for and keep the control and custody of a child so that the child shall be exposed to physical or moral risk without proper and sufficient protection; (c) failing to care for and keep the control and custody of a child so that the child shall be liable to be supported and maintained at the expense of the public, or by childrearing societies or private persons not legally chargeable with its or their care, custody and control.

B. Cruelty to a child shall consist in any of the following acts: (a) inflicting unnecessarily severe corporal punishment upon a child or children; (b) inflicting upon a child or children unnecessary suffering or pain, either mental or physical; (c) habitually tormenting, vexing or afflicting a child or children; (d) any wilful act or omission or commission whereby unnecessary pain and suffering, whether mental or physical, is caused or permitted to be inflicted on a child or children; (e) or in exposing a child or children to unnecessary hardship fatigue or mental or physical strains that may tend to injure the health or physical or moral well-being of said child or children.

C. Neglect of a child shall consist in any of the following acts, by any one having the custody or control of the child: In wilfully failing to provide proper and sufficient (a) food, (b) clothing, (c) maintenance, (d) regular school education as required by law, (e) proper and sufficient medical attendance or surgical treatment, and (f) a clean and proper home, (g) or the failure to do or

permit to be done any act necessary for the child's physical or moral well-being. "Parent," as used in this act, shall include the stepfather and step-mother. "The person having the care, custody and control of any child," as used in this act, shall mean any person who has assumed the care of a child, or any person with whom a child is living at the time the offense is committed.

2. Any parent, guardian or person having the care custody or control of any child or children, who shall abuse, abandon, be cruel to or neglectful of said child or children, or any person who shall abuse, be cruel to or neglectful of any child or children, shall be deemed guilty of "cruelty and neglect of children" and, upon conviction thereof, be fined not to exceed one hundred dollars, or to imprisonment for a term not exceeding one year in the workhouse or penitentiary, or in the common jail in counties that have no workhouse or penitentiary, or both, at the discretion of the magistrate before whom such conviction may be had; provided, however, that whenever in the judgment of the court it shall appear to be the best interest of the child or children to place it or them in the temporary care or custody of a society or corporation organized or incorporated under the laws of the State of New Jersey, having as one of its objects the prevention of cruelty to children, and the society or corporation is willing to assume said custody and control, the court may postpone sentence and place the child or children in the custody of such society or corporation, and may place defendant on probation, either with the county probation officers or an officer of the society or corporation to which the child or children are ordered, and may order the parent, guardian or person having the custody and control of said child or children to pay to said society or corporation a certain stated sum for the maintenance of said child or children; providing, however, that when a child or children are so placed in the custody of such a society or corporation, and the defendant fails to make the payments as ordered by the court, the court shall cause the arrest and arraignment before it of said defendant, and shall impose upon him the penalty provided in this section of the act. (Amended 1918.)

3. Complaints for violation of the provisions of this act may be made to any justice of the peace or to any police magistrate of any municipality, or to a judge of the Court of Quarter Sessions in any county, or the judges of the courts for the trial of juvenile offenders in every county of the State, and such magistrates and judges are hereby invested with jurisdiction to hear and determine such complaints in a summary manner, and to impose the penalties provided in the last preceding section of this act.

Whenever any person is convicted of violating the provisions of Section 2 of this act, the court may postpone sentence if the defendant shall furnish a bond with at least one sufficient surety to any society, association or corporation organized or incorporated under the laws of this State, having as one of its objects the protection of children from cruelty and neglect, in a sum not exceeding five hundred dollars for each child, conditioned for the payment of a certain weekly amount, to be fixed by said justice or magistrate to said society, for the care, support and education of said child or children during its or their minority, or for such shorter time as the said justice or magistrate may direct. Upon the defendant or surety failing to make payment for the support of the child or children, as provided in the conditions of the bond, the court shall issue a warrant for the arrest of the defendant and sentence the defendant as provided in Section 2 of this act. (Amended 1918.)

4. It shall be lawful for any society, association or board incorporated or organized under the laws of this State, having as one of its objects the prevention of cruelty to children, its officers or agents, to prefer a complaint against and cause to be arrested and prosecuted any person who shall offend against the provisions of this act and to aid in prosecuting the complaint before the court.

5. That all fines, penalties and forfeitures imposed and collected in any case when any society, association or board incorporated or organized un-



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der the laws of this State, having as one of its objects the prevention of cruelty to children shall be complainant, shall inure to such society, to be used by it for the benefit of the children in its care; all other fines imposed by a court in accordance with the provisions of this act shall be paid to the overseer of the poor of the municipality where the defendant resided, to be used for the benefit of the poor of that municipality.

6. Whenever the court shall determine that the parent, guardian or person having the custody and control of any child or children are unable to support it or them, or are dead, or cannot be found, and there is no person legally liable for the support of said child or children, or whenever a child or children have been abandoned, abused, neglected or cruelly treated, a petition may be filed by any person, association or corporation having as one of its objects the prevention of cruelty to children, interested in said child or children, with the Court of Common Pleas, or the judges of the courts for the trial of juvenile offenders in every county of the State, of the county where the child has a settlement, setting forth the facts in the case, and, where the case was not tried before the court in which the petition is filed, a copy of the record of the conviction shall be filed with the petition. If, upon the filing of said petition and copy of record, the court is satisfied that the best interests of the child or children require that said child or children be placed under proper guardianship, the said court may make an order committing the said child or children to the care, custody and control of the New Jersey State Board of Children's Guardians, and the said child or children shall thereupon become the legal ward of said board, which order shall also contain a provision ording the county to pay expenses for the care of said child or children, including the board, clothing, medical and surgical treatment while the child or children are under the guardianship of the New Jersey State Board of Children's Guardians. Upon the making of such commitment, as aforesaid, the State Board of Children's Guardians shall thereupon become and be constituted the guardian of said juvenile dependent or dependents, and shall be invested with all the powers and duties now exercised by them in the same manner and to the same effect as if the said child or children had been committed to said New Jersey State Board of Children's Guardians as a public charge or charges. (Amended 1918).

7. That any duly organized or incorporated humane society, having for one of its objects the protection of children from cruelty, may offer any agents or officers employed by them to the Mayor of any city for the purpose of being commissioned to act as police officers through the limits of said city, for the purpose of arresting all the offenders against this act or any of the provisions thereof, whereupon the Mayor in such city shall, if such persons are proper and discreet persons, commission them to act as such police officers, with all the rights and powers appertaining thereto; but no such city shall be liable in any way for the salary or wages of such officers, or for any expense whatever in relation thereto, except for the detention of prisoners; and in district or township not incorporated such humane society may offer similarly qualified persons to the Court of Common Pleas of the county, whereupon such court, or any judge thereof, shall, if they be fit persons, commission such persons to act as constables with power to arrest all offenders against this act or any provisions thereof, but no township, borough or county shall be in anywise liable for the salary or wages of any such officer, or for any expense in relation thereto, except for the detention of prisoners; all persons thus qualified under this section shall be deemed to be constables and police officers, and the keepers of jails or lock-ups or station-houses in any of said counties are required to receive all persons arrested by such policemen or constables.

8. Whenever the parent or parents, guardian or any person having the custody or control of any minor child shall be convicted of abandoning, abusing, neglecting or cruelly treating said child or children, it shall be lawful for any society or corporation organized under the laws of this State,

having as one of its objects the prevention of cruelty to children, or for any person interested in said child and acting as its next friend, to file a petition setting forth the facts in the case, together with a copy of the record of the case, when said conviction was before another court, with the Court of Common Pleas of the county, or the judges of the courts for the trial of juvenile offenders in every county of the State, of the county where the child has a settlement; the said judge, upon being satisfied that the child or children should be placed under proper guardianship, may make an order committing such child to the care and custody of any duly authorized or incorporated humane society within this State having for one of its objects the protection of children from cruelty, and such society shall thereupon have the rights of a guardian of the person of such child. The court may, at any time, modify, revoke or add to the above order. (Amended 1918).

9. That whenever any person having the custody or control of any minor shall be convicted of a violation of any of the provisions of this act, it shall be lawful for any person to apply to the Orphans' Court of the county wherein the offense has been committed for the appointment of a proper guardian for the person of such minor, and the said court may in its discretion make any such appointment, having due regard in the selection of a guardian to the religious persuasion of the parent or former guardian, or it may place such child in an asylum or home for children, with the powers of a guardian of the person, as may be most expedient; and the said court may order the parent to pay such a reasonable sum toward the maintenance of such child, and at such times and in such amounts as the said court may see fit; and such courts may at any subsequent time, upon being satisfied that the parent has become a fit person to resume the custody of said minor, and upon reasonable security, to be fixed by the court, being given for the faithful observance of the provision of this act, remand such minor to the custody of such parent, subject, nevertheless, to the obligation of any indentures or legal engagements already entered into on behalf of said minor by his or her guardian.

10. That whenever any person shall, before a magistrate or justice of the peace, make oath or affirmation that the affiant believes that this act has been or is being violated in any place or house, such justice or magistrate shall forthwith issue a warrant to a constable or other authorized officer to enter such place or house and investigate the same, and such person may arrest or cause to be arrested all offenders and bring them before any justice, magistrate or court of record for a hearing of the case; and it shall be the duty of all constables and policemen to aid in bringing all such offenders before said authorities for a hearing.

MISCELLANEOUS LAWS.

Birth Registry.

The physician or midwife shall transmit within five days of birth of any child born in this State a certificate of birth to a local registrar of vital statistics. Amended Laws of 1920, Chapter 99, P. 197.

Control of an Illegitimate Child.

The mother of an illegitimate child has exclusive right to its custody and control, but a court, upon proof that the mother is unfit, may make an order relative thereto. (P. L. 1913, P. 1733.)

Boarding Homes for Infants.

Boards of health in incorporated municipalities may pass and enforce ordinances licensing and regulating the keeping of boarding houses for infants and children, but this law shall not apply to the State Board of Children's Guardians or any children's home or orphan asylum or children's aid society duly incorporated, or similarly authorized societies. (P. L. 1915, P. 379.)

Hunting License for Children.

The Board of Fish and Game Commissioners may issue licenses to citizens of the United States above the age of ten years and below fourteen years when applied for by parent or guardian, which authorizes such persons to hunt when accompanied by adults holding proper hunting licenses. (P. L. 1915, P. 570.)

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Marriage of Minors.

Males under twenty-one years of age and females under eighteen may not apply for a marriage license without the certified consent of parents or guardians in the presence of two reputable witnesses. Consent not necessary in cases of arrest on the charge of "sexual intercourse." (P. L. 1911, P. 683.)

Applicants for marriage licenses giving false answers are liable to a perjury charge. (Comp. Stat., P. 3220.)

Automobile—License to Drive.

No person under the age of sixteen shall be licensed to drive an automobile. (P. L. 1916, P. 287.)

Pawnbrokers and Minors.

Pawnbrokers shall not receive from minors any pledges for pawn unless such minors present a written order or consent from parent or guardian. (Comp. Stat., P. 3931.)

Wayward Females.

Females convicted of a misdemeanor, or a high misdemeanor, or adjudged a disorderly person or juvenile delinquent, may be committed to an institution maintained for the reformation of wayward females instead of to a county jail, penitentiary or other penal institution. Females over fourteen shall be committed until they are twenty-one, unless sooner discharged by the court committing the person; but females over eighteen may be committed for a term not exceeding five years. Due regard in commitments to the religious persuasion must be given. (P. L. 1914, P. 363.)

Habitual Drunkards.

Upon the initiative of the Chancery Court, the Orphans' Court has control of the proceedings relative to habitual drunkards and the conservation of their estates through guardianship. No petition by a wife or a child of an alleged drunkard shall be received. (Comp. Stat., P. 2797, Sec. 25 and 29.)

Board of Protectors.

The governing body of a municipality may appoint three citizens to be known as a Board of Protectors, whose powers are to investigate the causes of drunkenness in the municipality, and may notify sellers of liquors not to sell or give liquors to persons named by them as habitual drunkards or likely to become a drunkard. The details of this law are found in Comp. Stat., P. 2799.

Insurance of Children.

Any person liable for the support of a child of the age of one year or upward may take a policy of insurance thereon within amounts fixed by law dependent upon age. (Comp. Stat., P. 2872.)

Protection of Students in College.

Tavern keepers must not receive and entertain any minor under the age of twenty-one who is a student of any college, academy or school within the State, or sell such student liquor. The penalty of a fine of ten dollars, to be recovered by action of debt, by parent or guardian or by any other person who shall sue, and one-half of the penalty shall go to the person bringing the suit and the other half to the college where the student is attending. A temporary sojourn while the student is going or returning or seeking lodgings is excepted. Storekeepers shall not sell students liquors without special permission of the head of the school, with action and penalties as above. Students' debts shall not be binding unless contracted with the special permission of parent, guardian or head of the school. Board and lodging accounts are excepted. (Comp. Stat., P. 2812.)

THE POOR LAW.

(Revision of 1911.)

As the Poor Law Revision is otherwise published in pamphlet form it is not included here.

Each municipality appoints an official known as overseer of the poor, whose duty under the law is to administer the funds appropriated for the relief of the poor under the provisions of law. The general purpose of the poor law is to relieve want and suffering when no other source of relief is available, and when want and suffering may follow if public relief is not given. In general, a person in want and unable to change his condition of want or suffering must be relieved at public expense. When the official shall find that the condition of dependency is likely to become permanent

he may commit to the almshouse, or in the absence of an almshouse to which he can legally commit, he may make other arrangement for permanent care and support. Medical relief must only be given by a physician at public expense upon the written order of the overseer of the poor, and druggists may only issue medicines at public expense upon the written order of an overseer of the poor. Hospitals receiving public funds for the support of poor persons must give free service to all those admitted upon agreement or order of a proper official. The hospital laws elsewhere referred to cover this subject. The right to give public relief rests upon the settlement provisions of the poor law. Technically and briefly, a settlement is obtained for poor relief purposes by a continuous residence of one year in a given municipality, but temporary aid may and must be given in necessity, regardless of settlement and pending adjudication of settlement. Private relief may be voluntary, but public relief is an obligation at law governed by the regulations set forth in the poor law. Children who are found dependent upon the public for support must be committed by the overseer of the poor to the almshouse and notice sent to the State Board of Children's Guardians. Liability for support rests with the father and grandfather, mother and grandmother, the children and grandchildren, severally and respectively, "of every poor, old, blind, lame and impotent person, or other poor person not able to work, being of sufficient ability," and the overseer of the poor may enforce support in such manner as he may direct. Complaint for support may be made to the Court of Common Pleas by the overseer of the poor or two citizens.

Settlement for Poor Relief Purposes.

The subject of settlement is not generally clearly understood. The purpose of this provision of the law is to fix the official responsibility for the giving of relief. Where no settlement can be found, the overseer of the poor where the applicant appears must give such aid as he may deem necessary. When a settlement is discovered notice must be given to the overseer of the poor where that settlement may be, and the applicant removed to his place of settlement. The cost of support after notice is served is an obligation of the municipality where settlement is located. The Poor Law of 1911 made a settlement to be where the applicant had resided for the year last past. In 1912 an act was passed seeking to change the settlement to a period of five years, but it is improperly drawn and in a test case would be declared unconstitutional, because it was not done according to the provisions of the Constitution regarding the passage of bills. So, technically, the settlement law for poor relief purposes remains as in the Revision of 1911, viz., one year's residence.

Overseers of the Poor.

Overseers shall be appointed by the municipal governing body at the first annual meeting after the passage of this act (March 27, 1912), and shall hold office for five years. In municipalities adopting the commission form of office it is held that the office of overseer of the poor is abolished when such a commission is elected. The commission government law reads: "The Board of Commissioners shall have and possess all administrative, judicial and legislative powers and duties now had and possessed and exercised by the Mayor and City Council and all other executive or legislative bodies in said city and have complete control over the affairs of the city adopting the provisions of this act." (P. L. 1912, P. 75.) The law then recites how the various powers and duties shall be distributed among five departments, and what duties shall be performed by each department is left to the commission to determine. Technically, it would seem that the commission, being the governing body, could appoint an overseer of the poor under the poor law of 1911 as amended 1912, P. 264, but whether such an appointment is compulsory upon a commission is a question for court decision. In boroughs a more recent law (P. L. 1913, P. 345) recites that certain officials shall be appointed to hold office during the pleasure of the council, and, unless removed, they shall hold office for one year. Included in the list of borough officials is that of the overseer of the poor.

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So that while the general poor law provides for a term of five years for all overseers of the poor, this subsequent borough act sets the term at one year. The intent of this bit of legislation was to abolish a certain office, and in the amending of an old law the particular section was repeated omitting that certain office, with the result as stated above.

ALMSHOUSES.

When dependent persons are found to become permanent charges upon a municipality, the overseer of the municipality shall commit to the almshouse. Children found thus dependent, when committed to the almshouse, pass by that action into the custody of the State Board of Children's Guardians.

Almshouses are county institutions and are supported out of county funds in the counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Gloucester, Hudson, Morris, Salem, Sussex and Warren. Bergen County, however, has certain municipalities which by a special law withdrew from the county for almshouse purposes and in these municipalities the almshouse provision is a small one known as the Tri-Township Almshouse, to which dependents are committed from such municipalities. In these counties the support of children in the care of the State Board of Children's Guardians is paid out of county funds.

In other counties the almshouse is a municipal institution and its support is a municipal burden. Children committed are paid for out of the municipal funds. These almshouses may be the large and well-equipped ones of Trenton and Newark, or the small ones of Plainfield, Orange, Belleville and other smaller municipalities, or the old-time farm and almshouse or rural townships and boroughs. Many of these old poor farms have been abandoned in recent years, and the overseers must find places where their charges may be boarded in private families at public expense. There are two privately conducted almshouses where such dependents are boarded at public expense.

County Dependent Children.

Where a county has assumed the maintenance of the poor and is now maintaining children in a charitable institution in the county the county Board of Chosen Freeholders may commit them for such a time as they may see fit. Commitments must be in writing and signed by the trustees of the county poor house. Board of Freeholders fix amount to be paid per week. Laws of 1919, P. 117. Amended 1921.

HOSPITALS.

There are special and general laws upon this subject, and no general revised hospital law has been yet enacted. As this subject naturally has to do with children who may be committed to hospitals, and as the subject is akin to the general purpose of this compilation of laws, it may be well to include some brief mention of the hospital laws.

County Hospitals for Contagious Diseases.

In counties having a county Board of Health there may be established a public hospital for the treatment of cases of a contagious nature, other than smallpox, but the annual appropriation shall not exceed \$3,500, to be expended by the county board of health. (Comp. Stat., P. 2751.) The general law providing for the construction and management of a county hospital for contagious or infectious diseases is that of Comp. Stat., P. 2752. This is not the law relating to county tuberculosis hospitals.

County Tuberculosis Hospitals.

A law authorizing the establishment of county hospitals for the care and treatment of patients suffering from tuberculosis and providing for the maintenance of the same was enacted in 1910. Another law called "An act concerning tuberculosis," was passed in 1912. Both of these laws relate to the construction and establishment of county hospitals for tuberculosis. Note: The law of 1912 does not repeal the law of 1910.

Hospitals for Contagious Diseases in Cities.

A board of health of a city, by resolution, may declare the necessity of establishing a contagious disease hospital and the financial board shall make

an appropriation in an amount depending upon the population of the city as fixed by the law. (P. L. 1900, P. 321, and 1909, P. 272, and 1902, P. 560, and 1915, P. 716.)

Hospitals for Contagious Diseases in Cities of the Second Class.

(Comp. Stat., P. 2763.)

Hospitals for Contagious Diseases Established by Any Incorporated Town on Land Without the City Limits.

(Comp. Stat., P. 2764.) Note: Similar provisions for a township is found on page 2765.

Hospitals in Cities.

Any city may establish a hospital which shall be devoted exclusively to the treatment and relief of the indigent sick and disabled in the city. It shall be managed by the city board of health. (Comp. Stat., P. 2760.)

Hospitals Established by Consent of State Board of Health.

Hospitals, sanatoria and kindred institutions must have consent and approval of the State Board of Health before locating in any municipality. (Comp. Stat., P. 2749.)

Private Hospitals for Communicable Diseases.

No such hospital shall be established, for profit, until the consent of the municipality shall have first been obtained. (Comp. Stat., P. 2749.)

Hospitals May Receive County Funds.

When a county maintains no hospital other than the hospital or sick-ward of the county poorhouse, it may make an appropriation not exceeding \$75,000 per annum, which money "shall be applied to the purpose of supporting and maintaining such patients as may be sent to any hospital or hospitals supported by private charity and located in such county; provided, that the sum so appropriated be used and applied for the benefit, comfort and maintenance of such patients as are residents of the county at the time of being sent to said hospital." (P. L. 1918, P. 435.) Note: This law was originally enacted in 1886, when the amount of money permitted was small, and by subsequent amendments in succeeding years, this sum has been gradually increased, the last increase being in the year of 1919.

Hospitals in First-Class Counties

First-class counties may make provision in any or all hospitals of the county having fifty or more beds, of which twenty or more are open to the public at all times for resident indigent patients. The name of the individual to occupy such a bed shall be certified by the county physician and approved by the board of freeholders when a verified bill for such support is rendered. The county may make an annual appropriation not to exceed \$5,000 for each hospital, to meet this expense. (P. L. 1913, P. 636.)

Hospitals in Counties of the Third Class.

The voters at a municipal election may grant a sum of money for the purpose of maintaining or aiding in the care of public patients in any incorporated hospital located in the county. (Comp. Stat., P. 2762.)

Counties May Assist Hospitals to Construct or Enlarge.

To counties having no public hospital an appropriation not to exceed \$15,000 may be made for the purpose of constructing or enlarging any hospital or hospitals supported by private charity located in the county. (Comp. Stat., P. 2751.)

Cities Aid Private Hospitals.

When authorized at a municipal election a city may make a contract with any regularly incorporated hospital located in the city to pay to such hospital for a period not exceeding ten years, a sum equal to one-third of a mill on every dollar of assessable property, for the purpose of supporting such indigent patients as may be sent by the city physician, overseer of the poor or other proper authority. (Comp. Stat., P. 2774.)

The common council of any city may appropriate annually for the support of any public hospital or hospitals located within the city any sum of money not exceeding one mill on every dollar of assessable property. (P. L. 1904, P. 392.) (Comp. Stat., P. 2775.) Amended 1921.

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Cities May Contract for Care.

A city may enter into a contract or contracts not exceeding the term of five years at a time with any corporation or individual maintaining a hospital in such city for the medical and surgical care and treatment of such persons whom such city shall determine may be cared for at public expense. (P. L. 1911, P. 560.)

Cities May Assist Private Hospitals.

Any city having no public hospitals may appropriate an annual sum not exceeding \$10,000, to be applied "to the purpose of supporting and maintaining such indigent persons as may be sent by order of any city physician, overseer of the poor or other proper authority to any hospital or hospitals supported by private charity and located in such city." The city has power by ordinance to regulate the mode of sending patients and the mode and terms of payment. (P. L. 1911, P. 749.)

Municipalities May Contribute to Private Hospitals.

The voters of any town, township, borough or village, at the annual election, may determine to raise money by taxation for the purpose of maintaining or aiding in the maintenance of public patients in any hospital situated in the State. (Comp. Stat., P. 2774.)

Any borough, town or township having no hospital may make an appropriation not exceeding \$1,000 a year for the purpose of supporting and maintaining such indigent persons as may be sent by order of any overseer of the poor or other proper authority to any hospital located in the municipality or any other municipality in the same or an adjoining county. (P. L. 1913, P. 65.)

HEALTH.

Under the law relating to the State and local health boards are certain provisions relating to children.

Diphtheria.

The State Board of Health supplies free of charge, upon the certificate of the attending physician, to indigent patients such amount of antitoxin as may be necessary. (Comp. Stat., P. 2661.)

Epidemic in State Institutions.

The State Board of Health shall assume charge in epidemics. (Comp. Stat., P. 2661.)

Sanitary Condition of Public Institutions.

The State Board of Health shall make investigations into the sanitary condition of public almshouses, asylums, jails, reform schools, schools, tenements and workshops. (Comp. Stat., P. 2657.)

Milk.

The State Board of Health may prohibit transportation or sale of milk suspected of being contaminated.

It may supervise and control the keeping of cows in insanitary places. (Comp. Stat., P. 2660.)

Local Boards of Health.

Local boards of health have power to pass ordinances and make rules and regulations in regard to public health, for these purposes: Food adulterations, nuisances, contagious diseases, keeping of animals, offal, compel returns of vital statistics, compel sanitary condition in tenement houses, jails and public buildings, regulate cleansing of sewers, disposal of garbage, cesspools, house drainage and water supply, isolation in contagious diseases and burials of the dead. They may declare epidemics and close schools.

Vaccination.

Upon enrollment of school children, inquiry shall be made of unvaccinated children, and parents unable to pay may consent to vaccination at the expense of the municipality. (Comp. Stat., P. 2667.)

Reporting Contagious Diseases.

Physicians must report cases of infectious, contagious or communicable diseases to local boards of health within twelve hours after the first visit to patients found suffering with any of the diseases specified in the law. This includes typhoid fever, diphtheria, membranous croup and scarlet fever. Other diseases designated by the State Board of Health must also be reported.

When any householder knows of any such case in a building under his control thus affected, when no physician is in attendance, he shall report within twelve hours. (Comp. Stat., P. 2723.)

Tuberculosis.

Tuberculosis declared an infectious and communicable disease and physicians must report all cases to the local board of health within forty-eight hours.

Local health boards shall keep a register of reported cases. (Comp. Stat., P. 2730.)

Disinfecting Apartments.

There is a provision that when a local health board is notified of the vacation of any apartment or premises, a representative shall visit the place and order no infected article shall be removed until suitably cleaned and disinfected and shall forthwith disinfect the apartment. (Comp. Stat., P. 2731.)

Sputum.

Unlawfully disposing of sputum is declared a nuisance. Complaints must be lodged in person or in writing with the local board of health, which must investigate and make orders accordingly. Refusal to obey such orders constitutes a misdemeanor. (Comp. Stat., P. 2732.)

Public Dispensaries

Cities of the first-class may establish. (Comp. Stat., P. 2734.)

Visiting Nurses with dispensaries. (Comp. Stat., P. 2734.)

Dental Clinics in Cities.

Dental associations conducting dental clinics in cities of the first-class may receive from the county an annual sum not in excess of \$20,000 to be used to give free treatment to indigent children not over the age of sixteen years. Law of 1919, P. 193.

Tuberculosis.

County tuberculosis hospitals are provided for under the law of 1912, P. 340. Any resident of the county may apply in person or through his physician to the superintendent for admission. (Sec. 5.) No mention in this section is made of the time of residence of the applicant within the county. Patients shall be required to pay the cost of care in whole or in part if after investigation it shall be determined that the patient has means sufficient to pay such charges. (Sec. 6.) In Section 4 of the law relating to the duties of the superintendent, the statement is made that he shall receive any person found to be suffering from tuberculosis in any form who has been an actual resident and inhabitant of the county for a period of at least one year prior to his application.

JUVENILE COURTS.

The first law on this subject was that of 1900, entitled "An Act Respecting Juvenile Offenders. A companion law was also enacted creating probation officers. This first law was made operative only in counties where institutions were established at public expense for juveniles and so this law was limited solely to Essex County.

The present law for juvenile courts was enacted in 1903 and has been amended in subsequent years. It is legally called "A Court for the Trial of Juvenile Offenders." In 1912 juvenile courts in counties of the first-class were established by law. Consequently, the juvenile courts of Essex and Hudson counties operate under the law of 1912, while procedure in juvenile cases in the other counties is under the law of 1903.

The probation law of 1900 was made applicable to the law of 1903 and probation officials became the probation officials of the juvenile offenders' courts. This law relating to probation officials was repealed in 1906 and a new probation law was passed.

Court for Trial of Juvenile Offenders. (Comp. Stat., P. 1887.)

Upon arrest of a person under 16 years of age upon complaint of any crime, excepting murder or manslaughter, or complaint of being a disorderly person, or being habitually vagrant or being incorrigible, the magistrate shall commit to the county jail to await trial or shall parole to await trial upon such conditions as the magistrate shall determine, and shall send the complaint to the clerk of the court for the trial of juvenile offenders.



The judge of the Court of Common Pleas is the judge of the court for the trial of juvenile offenders, and the county court clerk is the clerk of the court. He shall keep a separate book of records of the juvenile offenders' court. Provision for the

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destruction of these records after an elapsed period is found in P. L. 1916, P. 429.

The judge, upon receipt of complaint, shall with due and reasonable speed hold a session of court. It is the duty of the prosecutor to prefer an accusation in writing alleging the fact that the defendant is a juvenile delinquent, naming the offense, time and place, and the defendant shall be forthwith brought before the court to enter plea, but he shall be instructed as to his rights to be charged upon indictment or presentation of a grand jury and he may have a trial by jury.

The court shall fix an early day for trial and shall cause notice to be given to parent or guardian and shall assign counsel. Pending such trial the court may make such disposition of the child as to it may seem best. The court is empowered to determine and adjudge the guilt or innocence of the charge, and the court may commit to the state institutions for delinquents, or to a county institution, if such is provided, or to any like institution maintained by a municipality, in such county, or if a female, to an institution "maintained for the reformation of wayward females" (P. L. 1914, P. 362), or suspend sentence, or suspend sentence and place upon probation with the county probation officer, or may imprison or fine, or both.

Contributing to Delinquency.

A supplement to the law establishing a court for the trial of juvenile offenders (Comp. Stat., P. 1889) seeks to make parents and guardians responsible for the acts of juveniles, and declares it a misdemeanor with a penalty attached. Proceedings under this act are not to be advised. In its stead the supplement to the crimes act (P. L. 1912, P. 245) has been enacted. This law is available in all courts having jurisdiction in juvenile delinquency cases.

Committing Juvenile Delinquents to the Custody of the State Board of Children's Guardians.

Chapter 13, Laws of 1910, gives courts for the trial of juvenile offenders the right to commit juvenile delinquents to the custody of the State Board of Children's Guardians. The court may require the parents to pay for the support of the committed child, or in the absence of such requisite support, the court upon inquiry may make an order upon the county for such support. This law was enacted before the establishment of juvenile courts in first-class counties, but is applicable by reason of the saving force of Section 23 of that act. (Chapter 353, Laws of 1912.)

Separation in Jails.

In jails, workhouses, penitentiaries and other places of confinement persons under eighteen detained for any purpose whatsoever shall be kept separate and apart from and so that no communication take place between them and other persons above that age.

The boards of chosen freeholders are required to make provision for such separation in county institutions, "and in case it is impracticable to so arrange the buildings now used for such purposes, it shall be the duty of such boards of chosen freeholders, and they are hereby required to provide such places as shall be necessary to accomplish the purposes of this section." (Comp. Stat., P. 1874.)

MAGISTRATES.

Magistrates Must Not Commit Minors to Jail.

Magistrates must not detain or cause to be detained in any station-house, lock-up or any other place of confinement for a longer period than twenty-four hours any person under the age of 17, unless there shall be provided means of complete separation from others older than that age. (Comp. Stat., P. 1875, Sec. 166.)

Minors in Jails of Hudson and Essex Counties.

Instead of sentencing minors to state prison, the courts may sentence to the county jail with the consent of the Board of Freeholders. (Comp. Stat., P. 2946.) Similar sentences to either of these jails may be given in other counties at a cost of one dollar per week for maintenance.

Procedure Where Detention Houses Are Established for Juveniles.

A supplement of the Juvenile Offenders' Law (Comp. Stat., P. 1889) requires that when a house of detention is established in a county, police judges and magistrates shall send complaints against

juveniles to the county court for juvenile offenders, and all detentions and over-night commitments shall be to such house of detention and not in any police station or the county jail.

Juvenile Courts in First-Class Counties.

In first-class counties a separate juvenile court is created with a judge appointed by the Governor for a term of five years at an annual salary of \$5,000. In this law "a delinquent child" is defined in Section 5. Any person may by petition file a complaint in the form of a petition upon which the court may order an investigation by a probation officer of the facts and then summons the child and the parent or guardian to appear at a time and place stated in the summons. The court may cause the detention of the child at any stage of the procedure. The judge may hold court anywhere in the county at any time. He can sit in chambers and may examine witnesses without aid of counsel. He may find a child delinquent within the meaning of this act, and may commit to any public institution established by the State or the county, or to any like institution maintained by a municipality in which the child resides, or to any other institution to which commitment is provided by law, or the court may place on probation. Justices and local magistrates must transfer all child cases immediately to the juvenile court. This act permits freeholders to establish and maintain a home for temporary detention to be called "the county shelter" in charge of a superintendent and matron residing therein. (P. L. 1912, PP. 605-613.)

Domestic Relations.

In counties of the first-class the county juvenile court has "jurisdiction to hear and determine all disputes involving the domestic relation." (P. L. 1912, Chapter 360.) In all such cases it has jurisdiction over any case excepting cases that may come properly before the Court of Chancery and the Orphans' Court.

"By disputes involving the domestic relation is meant all complaint for violation of the disorderly persons act where the gravamen of the complaint is the failure or neglect of one member of a family to satisfy or discharge his legal obligations to another member or members of the family; and all charges against any persons for abandonment or non-support of wives, children, or poor relatives, under any provision of law; and all prosecutions instituted by the poormaster of any municipality, based upon or arising out of the marriage state."

This domestic relations court has no jurisdiction in criminal complaints where the offense is denominated a crime or a misdemeanor, and the law does not take jurisdiction away from any other court heretofore established, but there is provision for the transfer of cases to such county juvenile courts.

HOUSES OF DETENTION.

There are three laws relating to this subject: Schools of Detention, P. L. 1906, P. 54, and amended subsequently. (Comp. Stat., P. 1889.)

Parental Schools in First-Class Counties. (P. L. 1912, P. 569.)

The County Shelter, provided for in the County Juvenile Court Law.

Schools of Detention.

The Schools of Detention law of 1906, amended in 1908, 1909 and 1910, has never been applied in any county for the purpose for which it was enacted. It has been used, however, in some counties as a sufficient law for the commitment of dependent children to private institutions by county courts, but such commitments are questionable law.

In counties where it seems impracticable to establish such a school of detention the board of freeholders may enter into agreement with a regularly incorporated society caring for homeless or indigent or neglected children for the purpose of caring for such children as may be committed by the county judge or as may be placed therein by the parent or guardian of such children. This particular section (Section 6 as amended in 1910, P. 149) seems to be distinctly an unconstitutional section, as it does not in any wise conform to the title of the act.

Parental Schools.

Counties of the first-class may establish parental

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schools upon certification of the county judges, who appoint a Board of Trustees of five persons, and the judges being members ex-officio. This board has power to acquire lands and erect buildings suitable for the detention of all persons under eighteen years of age adjudged juvenile delinquents by the courts for the trial of juvenile offenders, or who may have been convicted of the violation of any criminal statute, or who may be detained as a witness, or who may be under commitment for appearance in the juvenile court pending final hearing. Section 5 declares that this is a place of detention, but this law does not prevent sentence to other institutions or probational custody. The law provides that the judge may order the parent to pay the expense for caring for the child in the institution.

The County Shelter.

This is provided for in Section 12 of the juvenile court law of 1912. It may be established in counties not having or maintaining a parental school, or school of detention.

The Newark City Home.

This is a city institution controlled by a special act of 1870. Children are committed from the juvenile court when resident of the City of Newark. Habitual truants are also sent there upon consent of parents through the school attendance office.

PROBATION LAWS.

Three laws exist relating to probation.

1. Creating a county probation officer. The first law was passed in 1870 and repealed in 1906, when a new law was enacted. (Comp. Stat., P. 1879.)
2. A supplement to the criminal jurisdiction act. (Comp. Stat., P. 1881.)
3. Magistrates may parole. (Comp. Stat., P. 1882.)

County Probation Officer.

The judge or judges of the Court of Common Pleas in and for each county in this State are hereby authorized and empowered, in their judgment the interests of justice will be promoted thereby, to appoint one officer to be known as chief probation officer to perform the duties of a probation officer, as hereinafter defined, under the direction of said court; and in any county of the first-class upon the application of the chief probation officer, the said judge or judges may appoint as many assistant probation officers, not exceeding five (two of whom may be women) as may be needed to carry out the purposes of this act; and in any county of the second-class, upon the application of the chief probation officer, the said judge or judges may appoint as many assistant probation officers, not exceeding three (one of whom may be a woman) as may be needed to carry out the purposes of this act. (P. L. 1911, P. 493.)

A supplement to this act (P. L. 1913, P. 140) provides for the appointment of five additional probation officers in first-class counties.

Duties.

Probation officers have the power of constables. They must keep a complete and accurate record of each case committed or investigated in suitable books which are open to inspection of the court, magistrates within the county or of the chief police officer of any municipality of the county. "He shall, when directed by the court, carefully inquire into the antecedents, character and offense of any person convicted of crime within the jurisdiction of the court appointing him." Blanks to be suitably filled out must be prepared and filed "for the use of the court and for reference." Probation officers pro tempore, in case of absence or disqualification of any probation officer, may be appointed and paid a per diem rate for services rendered. Probation officers may arrest and lodge in the county jail any probationer who violates the condition of parole, notifying the committing magistrate in the case that such person has been taken into custody. Any person released on probation to the county probation officer by any magistrate shall be subject to the rules of the county probation officer in the same manner as when released by the county judge.

Probation Procedure.

The court may order a person convicted of a crime released on probation, when the case in the

judgment of the court so justifies, for such time and upon such conditions as the court may determine, and this may include a suspension of sentence, the payment of a fine or the costs of prosecution. All money paid for cost and fine to the probation officer inures to the county. (Comp. Stat., P. 1881, Sec. 187.)

Violations.

Violations of the conditions of parole, or the rules of parole, "or who shall reengage in criminal practices, or become abandoned to improper associations or a vicious life," or when the court otherwise may so determine, may result in a court order of custody and confinement according to the sentence originally pronounced, or by a re-sentence. The original act (P. L. 1906, P. 108) provides for time limitations and a re-probation if the court shall so determine. (Comp. Stat., P. 1881, Sec. 189.)

Municipal Court Probations.

Magistrates in municipalities where persons are convicted of crime, or of being a disorderly person, or for desertion or non-support, or for neglect or abuse of children, may release on probation to the county probation officer. (Comp. Stat., P. 1882, Sec. 192.)

Magistrates Notify Probation Office.

Magistrates are required to send a copy of the complaint and the order of probation with the other information required by the rules of the probation office to that office and the probationer comes under the same regulations as if he were committed by the county court. (Comp. Stat., P. 1882, Sec. 193.)

Direction of Money Payments.

When money payments in fines or costs are ordered by the municipal magistrate as a condition of probation, the money shall be turned over to the county probation officer for the benefit of the county, but money coming through cases of desertion and non-support, or of neglect or cruelty to children, shall be paid over to the overseer of the poor for the benefit of wife or children. (Comp. Stat., P. 1883, Sec. 195.)

DESERTION AND NON-SUPPORT.

Proceedings may be taken under three forms.

1. The Revision of the Poor Laws (1911, P. 390, amended 1912, P. 263.)
2. The Disorderly Persons Act (P. L. 1911, P. 117.)
3. The Crimes Act (P. L. 1904, P. 363, and P. L. 1916, P. 83.)

Procedure Under the Poor Law.

The overseer of the poor, where deserted husband, wife or children may be, or where they have legal settlement, makes complaint to magistrates of municipalities or justice of the peace where police courts do not exist. The wife may make complaint without the intervention of the overseer of the poor. Any two disinterested citizens may make complaint. Complaint may be filed on Sundays. The magistrate issues warrant for arrest, and upon return the magistrate shall require the deserter to enter into a bond to the overseer of the poor in a sum not over \$500 conditional for his appearance to answer to the complaint, "and to abide all orders, judgments and decrees that may be made against him touching said complaint." In default of bond the court shall commit to jail to await the investigation of the complaint. This bond is for the purpose of securing the presence of the deserter when the hearing shall occur.

At the time of hearing, the magistrate shall take testimony and make his inquiry on the complaint, and if he finds the person guilty, he shall adjudge him a disorderly person, but in lieu of the penalties for disorderly persons, the court may make an order requiring the person to pay a weekly sum to the overseer of the poor for the support of the family. The right of jury trial or appeal is granted, but the order for support runs until the appeal is heard. To secure the observance of the order for support, the deserter must furnish a bond, running for one year, to the overseer of the poor in an amount not stated in the law. In default of bond, the deserter may be committed to the county jail or penitentiary until such bond is given. But the magistrate in his discretion may not exact the penalty of commitment nor ask for the bond, but may order the deserter placed

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